REPORTS OF THE PROCEEDINGS

OF THE

JUDICIAL CONFERENCE

OF THE

UNITED STATES

HELD IN

WASHINGTON, D.C.

March 11 and 12, 1982

and

September 22 and 23, 1982

ANNUAL REPORT

OF THE

DIRECTOR OF THE ADMINISTRATIVE OFFICE

OF THE

UNITED STATES COURTS

1982

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REPORT of the PROCEEDINGS OF THE JUDICIAL CONFERENCE OF THE UNITED STATES

March 11-12, 1982

Washington, D.C. 1982

THE AUDICIAL CONFERENCE OF THE UNITED STATES, 28 U.S.C. 331

\$331. AUDICIAL CONFESSION OF THE UNITED STATES

The Chief Justice of the United States shall exceemes assembly the chief judge of each judicial circuit, the chief judge of the Court of Claims, the chief judge of the Court of Contents and Patent Appends, and a district judge from each judicial circuit to a conference of such time and place in the United States on he may designate. He shall preside at such conference which shall be known as the Judicial Conference of the United States. Special sensions of the conference may be called by the Chief Justice at such times and places as he may designate.

The district judge to be summoned from each judicial circuit shall be chosen by the circuit and district judges of the circuit at the annual judicial conference of the circuit held pursuant to section 333 of this title and shall sorve as a member of the conference for three successive years, except that in the year following the exactment of this annualed section the judges in the first, fronth, seventh, and tenth circuits shall chosen a district judge to serve for one year, the judges in the second, fifth, and eighth circuits shall chosen a district judge to serve for two years and the judges in the third, sixth, ninth, and District of Columbia circuits shall choose a district judge to serve for two

If the chief judge of any circuit or the district judge chosen by the judges of the circuit is unable to attend, the Chief Justice may summon any other circuit or district judge from such circuit. If the chief judge of the Court of Claims or the chief judge of the Court of Customs and Fateut Appeals is unable to attend, the Chief Justice may summon an associate judge of such court. Every judge resummend shall attend, and, unless excused by the Chief Justice, shall remain throughout the sessions of the conference and advise as to the needs of his circuit or court and as to any matters in respect of which the administration of justice in the courts of the United States may be improved.

The conference shall make a comprehensive survey of the condition of business in the courts of the United States and propert plans for assignment of judges to or from electic or districts where assesses, and shall submit suggestions to the various courts, in the interest of uniformity and expedition of business.

The conference shall also carry on a constituence study of the operation and effect of the general rates of practice and precedent near or horselve in our as prescribed by the Supreme Court for the other courts of the United States pursuant to low. Such changes in and additions to those rates as the conference may down desirable to presents simplicity in precedent, fairness in administration, the just determination of Hitgarian, and the discipation of originalishible capacity and they shall be recommended by the conference from time to their to the Supreme Court for its consideration and adoption, modification or rejection, is accordance with its.

The Attorney General shall, upon request of the Chief Justice, report to such conference on matters relating to the business of the several courts of the United States, with porticular reference to cases to which the United States is a party.

The Chief Justice shall submit to Congress on annual report of the proceedings of the Judicial Conference and its recommendations for Implication.

OF THE JUDICIAL CONFERENCE OF THE JUDICIAL CONFERENCE OF THE UNITED STATES

March 11-12, 1982

The Judicial Conference of the United States convened on March 11, 1982, pursuant to the call of the Chief Justice of the United States, issued under 28 U.S.C 331, and continued in session on March 12th. The Chief Justice presided and the following members of the Conference were present:

First Circuit:

Chief Judge Frank M. Coffin Chief Judge Raymond J. Pettine, District of Rhode Island

Second Circuit:

Chief Judge Wilfred Feinberg Chief Judge Lloyd F. MacMahon, Southern District of New York

Third Circuit:

Chief Judge Collins J. Seitz Chief Judge Gerald J. Weber, Western District of Pennsylvania

Fourth Circuit:

Chief Judge Harrison L. Winter Chief Judge Charles E. Simons, Jr., District of South Carolina®

Fifth Circuit:

Chief Judge Charles Clark Chief Judge John V. Singleton, Jr., Southern District of Texas

^{*}Designated by the Chief Justice in place of Judge Robert R. Merhige, Jr., who was unable to attend.

Sixth Circuits

Chief Judge George C. Edwards, Jr. Chief Judge Frank J. Bettisti, Northern District of Ohio

Seventh Circuit:

Chief Judge Walter J. Cummings Judge S. Hugh Dillin, Southern District of Indiana

Eighth Circuit:

Chief Judge Donald P. Lay Judge Albert G. Schatz, District of Nebraska

Minth Circuits

Chief Judge James R. Browning Judge Manuel L. Real, Central District of California

Tenth Circuits

Chief Judge Oliver Seth Chief Judge Howard C. Bratton, District of New Mexico

Eleventh Circuits

Chief Judge John C. Godbold Judge William C. O'Kelley, Northern District of Georgia

District of Columbia Circuit:

Chief Judge Spottswood W. Robinson, III Chief Judge John Lewis Smith, District of Columbia

Court of Claims:

Chief Judge Daniel M. Priedman

Court of Customs and Patent Appeals:

Chief Judge Howard T. Markey

Circuit Judges Irving R. Kaufman, Otto R. Skopil, Edward A. Tamm, and Gerald B. Tjoflat; Senior District Judges Elmo B. Hunter and Thomas J. MacBride; and District Judges C. Ctyde Atkins, Robert E. DeMascio, Edward T. Gignoux and Alexander Harvey II, attended all or some of the sessions of the Conference.

The Attorney General of the United States, Honorable William French Smith, and the Solicitor General of the United States, Honorable Rex E. Lee, addressed the Conference briefly on matters of mutual interest to the Department of Justice and the Conference.

Honorable Robert W. Kastenmeier, Chairman of the House Judiciary Subcommittee on Courts, Civil Liberties and the Administration of Justice addressed the Conference briefly on matters pending in the Congress of interest to the Judiciary. Richard W. Velde of the staff of the Senate Judiciary Committee and John G. Osthaus of the staff of the House Appropriations Subcommittee attended portions of the Conference and briefly addressed the Conference.

William E. Foley, Director of the Administrative Office of the United States Courts; Joseph F. Spaniol, Jr., Deputy Director; James E. Macklin, Assistant Director; William J. Weller, Legislative Affairs Officer; Michael J. Remington, Deputy Legislative Affairs Officer; Deborah H. Kirk, Chief, Office of Management Review; and Charles W. Hihan, Deputy Director of the Federal Judicial Center, attended sessions of the Conference. The Director of the Federal Judicial Center, A. Leo Levin, reported briefly on the activities of the Center since the last session of the Conference. John Yoder of the Supreme Court staff was also in attendance.

REPORT OF THE DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

The Director of the Administrative Office of the United States Courts, William E. Foley, submitted to the Conference a brief report on the caseloads of the United States courts during the calendar year 1981.

Mr. Poley reported that the appeals docketed in the United States courts of appeals increased to 27,445 in 1981, a

13.8 percent increase over the 24,122 appeals docketed during 1980. During the year there were 26,757 appeals terminated, an increase of 16.9 percent over the number terminated in 1980, but 688 appeals less than the number filed. Again the number of appeals pending on December 31, 1981 reached a new all-time high of 22,117, an increase of 3.2 percent in one year.

Civil cases filed in the district courts in 1981 increased 9.2 percent to a record 190,430. There were 180,799 civil cases disposed of during the year, an increase of 5.7 percent over the previous year, but 9,631 cases fewer than the number filed. As a result the backlog of pending civil actions increased to a record 196,646 as of December 31, 1981.

During 1981 there were 31,566 criminal cases filed in the district courts, a 5.7 percent increase over 1980. There were 30,197 criminal cases disposed of and the number of criminal cases pending on December 31, 1981 increased to 16,174, a 9.2 percent rise. Prosecutions for weapons and firearms violations and prosecutions for marihuana violations increased aimost 40 percent during the year.

In 1981 a record 523,825 separate estates filed for bankruptcy in the United States bankruptcy courts, an increase of 10.9 percent over 1980 and a new all-time record high. There were 383,481 bankruptcy estates closed during the year, compared with 233,442 estates closed in 1980. As of December 31, 1981 there were 685,330 estates pending on the dockets of the bankruptcy courts.

COMMITTEE ON THE JUDICIAL BRANCH

Judge Irving R. Kaufman, Chairman of the Committee on the Judicial Branch, submitted the Committee's report.

JUDICIAL SURVIVORS ANNUITIES

Judge Kaufman stated that the Judicial Conference approved bill to amend the Judicial Survivors Annuity Act had been introduced in the Congress as H.R. 4763, 97th Congress. A similar bill, S. 1874, 97th Congress, has been introduced in the Senate. The differences between the two bills are minor and Judge Kaufman assured the Conference that a compromise

could be easily developed. Both bills would provide for an increase in the maximum annuity payable to the surviving spouse of a judge, provide a minimum annuity equal to 30 percent of the average salary over the last three years, and increase substantially the annuities payable to surviving minor dependent children. In addition the bills would increase the contribution of participants in the system from 4.5 percent of salary to 5 percent of salary. The bills would also allow a judge to withdraw from the system and receive a refund of contributions. The Committee recommended, however, that both bills be amended to include a provision permitting an open season to allow a judge to join or withdraw from the system. This provision would be similar to that contained in the 1976 amendments to the Judicial Survivors Annuity System. The Conference approved the Committee's recommendation.

JUDICIAL SALARY CONTROL ACT OF 1981

S. 1947, 97th Congress, is a bill to prohibit any future increases in salaries of Pederal judges absent an affirmative record vote in both Houses of Congress, and to require an annual review by both Houses of Congress of all standing substantive program authorizations for Judicial Branch activities. The bill was reviewed by the Committee on the Judicial Branch and the Committee on Court Administration. In regard to judicial salaries both Committees noted that the Conference had previously recommended legislation to create a biennial Commission on Federal Judicial Salaries and remove the Judiciary from the scope of the Pederal Salary Control Act of 1967, 2 U.S.C. 356. The draft bill provides that any salary increases recommended by the existing "quadrennial" commission would become effective only after submission to the Congress and an affirmative expression of approval manifested by roll-call votes in both Houses. Judge Kaufman also pointed out that the provision in S. 1847 which would require Congressional approval of comparability adjustments creates an ambiguity in the law since it does not expressly repeal the procedures of the Executive Salary Cost-of-Living Adjustment Act of 1975. Upon the recommendation of both Committees the Conference reaffirmed its recognition of the ultimate final authority of Congress to set judicial salaries, and expressed its preference for the draft legislation which has already been transmitted to the Congress by the Conference.

In regard to the mandatory requirement for an annual program authorization for the entire Judicial Branch, the

Committee on Court Administration concluded that exisiting oversight by the Judiciary Committees in both Houses of Congress, in confunction with established budgetary oversight procedures followed by the Appropriations Committees in both Houses, already fully achieves the same oversight objectives to be achieved under S. 1847. In addition, the ambiguous language of the bill, as presently drawn, may encourage improper intrusions into the work of the courts, which Congress has always recognized should be left to the courts themselves. The Committee recommended that the Conference advise Congress that the enectment of the bill would therefore serve no useful purpose and might also raise a broad spectrum of potential future policy problems for both the Legislative and Judicial Branches of the Federal Government. The Conference unanimously agreed that the bill's objectives are both unnecessary and unwise, and authorized both Committees to so advise the Congress.

BIENNIAL SALARY COMMISSION

H.R. 4886, 97th Congress, would amend the Pederal Salary Act of 1967 to authorise a biennial rather than a quadrennial commission on Executive, Legislative and Judicial Salaries. Upon the recommendation of the Committee the Conference adopted the following resolutions

Became H.R. 4886, which, by amending the Federal Salary Act of 1967, provides that recommendations for the adjustment of executive, legislative, and judicial salaries be made biennially instead of quadrennially, could accelerate correction of inequities in salaries of members of the Federal bench, it is resolved that the Judicial Conference of the United States endorses H.R. 4886, insofar as it applies to the Judiciary. Furthermore, the Judicial Conference once again endorses its own legislation, which, by providing amendments to the Federal Salary Act of 1967, would create a separate Biennial Commission to determine judicial salaries only.

The Conference authorised the release of the Committee's report to all Federal judges.

COMMITTEE ON COURT ADMINISTRATION

Judge Eimo B. Hunter, Chairman of the Committee on Court Administration, presented the report of the Committee.

STAFF ATTORNEYS

The Conference in September 1981, Conf. Rept. p. 68, adopted a policy "that the number of staff attorneys in each circuit court, including the senior staff attorney, should not exceed the number of active judgeships authorised for that court", but permitted retention of already authorized positions in excess of that number "for a period of two years or until expressly approved by the Judicial Conference following a showing of specific and well-documented justification, whichever shall occur first." The Court of Appeals for the Ninth Circuit had requested approval for the retention of its 30 currently authorized staff attorneys, a number which exceeds the 23 authorized judgeships. Judge Hunter stated that the Committee was impressed by the fact that this number was specifically justified to the staff of the House Appropriations Subcommittee in enswer to their questioning of the number during the presentation of the Judiciary's appropriations request for the fiscal year 1982 and was subsequently approved by the House. The Committee further noted that during the past year the Minth Circuit not only had 23 active judges, but also had 7 senior judges and about 10 visiting judges each month, thus adding significantly to the workload placed before the staff attorney's office. Upon the Committee's recommendation the Conference accepted the justification submitted and approved the 30 positions for the staff attorney's office in the Court of Appeals for the Minth Circuit.

STAFFING FORMULA FOR CLERKS OFFICES

The Committee submitted to the Conference the results of a work measurement study of the cierts offices of district courts conducted by the Administrative Office at the request of the Budget Committee of the Conference. Recognising that the new formula was based upon the output of average cierts and deputy cierts, and that some courts might not need all the personnel indicated by the formula, the Committee recommended approval of the new staffing formula as a guide with additional positions to be made available only when requested, and upon a demonstrated justification of need. The Conference approved this recommendation.

COURT REPORTERS

The Conference in September 1981, Conf. Rept. p. 72, returned to the Committee for further consideration various proposals and policies relating to the court reporting system and requested that the circuit judicial councils review the proposals and comment thereon to the Committee. Judge Hunter informed the Conference that the Committee had reviewed the comments received from the circuit councils and from the United States Court Reporter's Association. As a result some of the original proposals have been revised to incorporate many of the desires of the circuit councils in a manner designed to promote good management of court reporter resources within the individual courts. Judge Hunter advised the Conference that the revised proposals now include a role for the circuit councils in assuring the proper supervision and utilization of court reporters. The proposals submitted by the Committee are as follows:

Court Reporter Management Plan

That the Conference recommend that the judicial council require each district court, subject to such exceptions as may be granted by the circuit council, to develop a court reporter management plan that will provide for the dayto-day management and supervision of an efficient court reporting service within the court. Each plan is to provide for the supervision of court reporters in their relations with litigants as specified in the Court Reporter Act, including fees charged for transcripts, acherence to transcript format prescriptions and delivery schedules. The plan must also provide that supervision be exercised by the clerk of court, district court executive, Judge or other person designated by the court; that reporting tasks are to be apportioned equitably at the same site; and that, through scheduling, the use of temporary or contractual services is to be minimized to every extent practicable. Each "Court Reporter Management Plan" is to be approved by the judicial or ancil of the circuit and a copy filed with the Administrative Office. The Administrative Office will assist the courts in establishing supervised court reporting services and productivity standards.

2. Swing Reporters

That the Coxference establish as a policy that, in the future, permanent swing reporters may only be authorized when a court in fact has implemented a system in which each reporter is fully utilized. Swing reporters will be granted only on a showing of demonstrated need and the full use of existing personnel. When, in rare cases, existing full-time reporters do not meet all the reporting needs of the court, and a swing reporter is not justified, those needs will be met by contract reporters on an intermittent basis.

Production of daily and hourly transcripts is not to be subsidized by the court. If extra reporters are required to produce expedited transcripts, their fees are to be paid out of the earnings derived from those higher transcript rates established by the Judicial Conference. Other reporters from the pool may, however, assist with the production of daily transcript when there are no other judicial proceedings to record, including those of magistrates, and when no transcript backing will result.

3. Certification of Transcript Rates

That to insure compliance with regulations of the Judicial Conference, each court be directed to take any necessary action including, but not limited to, dismissal of the court reporter or restitution of overcharges, whether they arise out of a violation of page rates, page format, or time limits for delivery. In order for the public to be aware of the maximum transcript fees to be charged, a schedule of the prescribed fees is to be posted prominently in the cierk's office. The reporter is required to certify on each invoice that the fee charged and the page format used conform to the regulations of the Judicial Conference.

4. Late Delivery of Transcripts

That for transcript of a case on appeal not delivered within 30 days of the date ordered and payment received therefor, or within such other time as may be prescribed by the circuit council, the reporter may charge only 90 percent of the prescribed fee; that for a transcript not delivered within 60 days of the date ordered and, payment received therefor, or within such other time as may be prescribed by the circuit council, the reporter may charge only 80 percent of the prescribed fee. No fee may be charged which would be higher than the fee corresponding to the actual delivery time. In the case of a transcript which is subject to F.R.A.P. Rule 11(b), the reduction in the fee may be waived by the clerk of the court of appeals for good cause shown. Nothing contained herein should be construed as sanctioning untimely delivery, nor should this provision be considered the only penalty that could be imposed by the court or circuit council on habitual offenders.

5. Job Security

That the Conference enunciate the policy already set forth in 28 U.S.C. 753 that court reporters are not employed by, nor do they form part of the personal staff of, an individual judge. They are employed by the court en banc which controls their assignments. In conformity with 28 U.S.C. 753(a) a reporter should continue to retain his employment at the pleasure of the court en banc, regardless of the death, resignation, or retirement of an individual judge or other reason creating a judgeship vacancy. In the period between such an occurence and the appointment of a new juze, the reporter should continue to serve other active judges, senior judges and magistrates. If the volume of work in the long run does not justify the retention of the full complement of reporters, a reduction should be accomplished through relocation, attrition, or by giving a reasonable notice for termination of the appointment.

6. Sick Leave

That when a reporter is disabled became of a bone fide medical reason, substantiated by a doctor's certificate, a substitute reporter may be provided for the court on a contractual basis if other official reporters are not available to cover the proceedings; provided, however, that no reporter is to be maintained in a sick leave status for absences aggregating more than 30 calcular days during any calendar year without the prior approval of the Director of the Administrative Office.

7. Salaries of Reporters

That the salaries of court reporters be adjusted to reflect the government-wide pay increases which were effective in October, 1981 and that pay increases of 5 percent should be given at 5, 10, and 15 year intervals, rather than just one increase after 10 years of service, as set out in the schedule contained in the Committee's report.

8. Electronic Sound Necording

That the Conference approve the draft bill submitted by the Committee which would enable any district court, at its election, to utilize electronic sound recording or other technologically feasible methods as the exclusive means of creating an official record, and would authorise the use of contract reporting services whenever improved effectiveness and efficiency is demonstrated.

9. Reporters for Senior Judges

That reporting services for senior judges are to be provided through a combination of official employees and contract reporting services. Each district court plan should allocate the official reporters in a manner which will best meet its actual court reporting needs, regardess of whether the services are for

active judges, senior judges, or other judicial officials. If the number of court reporters required exceeds the ratio of one reporter per active judge, the district court must obtain the concurrence of its judicial council to seek the allocation of additional reporters. Any additional swing reporters will be authorized in such numbers as the Judicial Conference deems appropriate, including fully or less-than-fully salaried positions and/or combination positions if in the public interest. This policy will become effective one year after the date of its adoption. Until that time no court will lose court reporters currently assigned to it.

The Director of the Administrative Office will continue to approve emergency appointments as authorized by law not to exceed a three-month period, in order to give the judicial councils time to review district court plans and the Judicial Conference time to consider authorizing additional personnel.

Judge Hunter discussed briefly the reasons for each of the above nine recommendations in amplification of explanations given in the Committee report. After full discussion the Conference approved the recommendations of the Committee except the recommendations on salaries which were referred to the Committee for further consideration. The draft bill to authorize the use of electronic sound recording was amended to require the recording of all proceedings in open court "except oral argument."

The Conference also requested the Committee to consider the question of annual leave for court reporters and whether the Conference should forbid reporters to engage in outside reporting work.

CIVIL CASE MANAGEMENT

The General Accounting Office's report to the Congress in Petruary 1981 on the management of the courts recommended that the Judicial Conference encourage the district courts to use their clerks offices more appropriately in the administration of the courts, particularly for case management and docket control. Judge Hunter informed the

Conference that the staff of the Administrative Office had conducted a survey among the cierks of the district courts to determine the level of case management within each court and to identify policies, procedures and local rules effective in reducing or eliminating civil case backlogs. Using this information the staff of the Administrative Office thereafter made presentations to the clerks of district courts and circuit executives in five circuits and to circuit and district judges in two other circuits outlining effective case management procedures and recommending policies and local rules which the court should consider adopting to improve case management. The Committee's analysis of the case management information compiled by the Administrative Office resulted in the following suggested guidelines for obtaining efficient case management:

- A. Establish time frames for various stages of civil litigation and assure there is always a pending action or activity with a deadine;
- B. Establish a monitoring system in the clerks office to insure that cases not litigated according to their time frames are noted and appropriate action is taken by the court, (for example, dismissing cases for lack of prosecution), and that those cases being pursued proceed timely to the next phase;
- C. Adopt local rules setting forth expected time frames, impose sanctions for noncompliance, and set out procedures and responsibility for action;
- D. Prepare statistics and other information for the court so that problem areas can be identified and appropriate action can be taken.

The Conference, upon the recommendation of the Committee, took the following action:

 Requested the district courts to develop and establish an efficient case management system based on the utilization of the clerk's office to centralize case management and docket control, taking into consideration the foregoing suggested guidelines.

- Requested the judicial council of each circuit to broaden its role in improving the administration of justice by taking action to assist in the establishment of effective case management in all courts within its circuit.
- 3. Directed the Administrative Office to continue to study the information available on case management practices and the rules in effect; to comply with court requests to make presentations on appropriate guidelines for establishing and developing better case management; and to provide the courts with a compendium of the most effective means of eliminating excessive backlogs of cases and assuring the prompt processing of civil litigation.

UNITED STATES MARSHALS SERVICE

Judge Hunter advised the Conference that the Attorney General's task force had completed a draft report on court security which includes recommendations for developing a comprehensive security system for the Federal Judiciary and sets out criteria and guidelines for determining when and what services the Marshals Service should provide. The Committee is monitoring these developments and will report further to the Conference. Judge Hunter also stated that the National Conference of Federal Trial Judges had recommended the transfer of the United States Marshals Service from the Department of Justice to the Federal Judiciary with a limitation on the Marshals law enforcement authority to that necessary to carry out court related duties. The Committee concluded that law enforcement of whatever nature is the responsibility of the Executive Branch of government and therefore rejected the recommendation.

The Committee also considered whether the responsibility for holding cells in court facilities which are used by marshals to carry out their custodial duties, should be the responsibility of the United States Marshals Service or the Judiciary. Since holding cells are used by the marshals to assist in carrying out their law enforcement functions in maintaining custody of criminal defendants, the Committee recommended that the Conference adopt the position that the

Marshals Service is responsible for holding cells, recognizing that the Judiciary must coordinate with the Marshals Service for space acquisition and alteration, so that the Marshals Service can determine and plan for the installation of necessary holding cells. This recommendation was approved by the Conference.

COURT-ANNEXED ARBITRATION

Judge Hunter informed the Conference that the Committee had reviewed a report of the study conducted by the Pederal Judicial Center on the pilot court-annexed arbitration program initiated in three district courts in 1978. In addition the Committee received comments from the Department of Justice and from the chief judges in two of the three pilot districts, the Eastern District of Pennsylvania and the Northern District of California. Although the pilot program has been terminated in the District of Connecticut. reports from the other two districts indicate that it has had modest success. In view of the recommendations contained in the Federal Judicial Center report and the comments received from Chief Judges Joseph S. Lord III, and Robert F. Peckham, the Committee recommended that funds be requested so that the pilot program can be continued in the Eastern District of Pennsylvania and the Northern District of California. This recommendation was approved by the Conference.

PLACES OF HOLDING COURT

S. 260, 97th Congress, is a bill to authorize Jackson as a place of holding court in the District of Wyoming. Judge Hunter advised the Conference that the bill had been approved by the district court, the Judicial Council of the Tenth Circuit, by a majority of the members of the Court Administration Committee, and was finally approved by the Executive Committee of the Conference. The appropriate Committees of the Congress have been so informed.

BIENNIAL SURVEY OF JUDGESHIP NEEDS

Judge Hunter informed the Conference that the Subcommittee on Judicial Statistics had completed a preliminary analysis of judgeship requirements in the district courts and in the courts of appeals and had transmitted its recommendations to the chief judge in each circuit requesting that the circuit council review the judgeship needs of the courts within the circuit and make its recommendation to the Subcommittee. Each court will have an opportunity to comment on the Subcommittee's analysis and provide additional supporting materials. The Subcommittee will meet in May 1982 to formulate its final recommendations.

SALARIES OF ARTICLE I JUDGES AND SUPPORTING JUDICIAL OFFICERS

The Conference in September 1981, Conf. Rept. p. 72, agreed with the Committee's conclusion that it would be desirable for the Conference to establish a comprehensive arrangement of basic salary levels for supporting judicial officers, including the salaries of Article I judges in the Judiciary, and directed the Administrative Office to draft appropriate legislation. After reviewing its previous recommendation the Committee determined, however, that it would not be appropriate to create special salary classifications with fixed salary ceilings which would have to be amended from time to time by legislation. The Committee proposed that, with certain exceptions, the Director of the Administrative Office be given the authority to fix the salaries of all Article I judges and other supporting judicial officers, subject of course to the supervision and direction of the Judicial Conference. The salaries of the Directors of the Administrative Office and of the Federal Judicial Center and the salary of the Deputy Director of the Administrative Office would continue to be fixed by statute as at present. The Conference approved this recommendation with an amendment to limit salaries payable thereunder to 85 percent of the salary of a district judge, and authorized the Director of the Administrative Office to prepare the necessary legislation in accordance with the Committee's report and transmit it to the Congress.

RETIREMENT OF ARTICLE I JUDGES

The Chairman of the House Judiciary Subcommittee on Courts, Civil Liberties, and the Administration of Justice had requested clarification of the Conference position regarding the retirement of bankruptcy judges. Previously the Conference had recommended that bankruptcy judges serving in an Article I status should receive Article I retirement benefits; that bankruptcy judges reappointed to serve after April 1, 1984 should be permitted to credit their years of service during the transition period toward their Article I retirement; and that bankruptcy judges not appointed to serve after April 1, 1984, should be entitled to retire only under the existing provisions of the Civil Service Retirement Act. (Conf. Rept. Mar. 1980, p. 31.)

It was the view of the Committee that service as a bankruptcy judge during the transition period should be credited for retirement purposes on the same basis as service in Article I status and the Conference agreed, provided that the amount of any resulting annuity does not exceed the salary received at the time the individual relinquishes office.

The Committee further recommended that 28 U.S.C. 373, the statute pertaining to the retirement of an Article I judge, be amended to harmonize with the terms of appointment bankruptcy judges. for bankruptcy judges. Specifically the Committee recommended that the right to receive an annuity vest after eight years of service, except that the right to retire for disability should vest after five years of service; that a full annuity be payable after fourteen years of service; and that a lesser annuity be payable in the railo that the number of years of service bears to fourteen. The Conference approved these recommendations, but further recommended that an annuity, other than a disability annuity, commence at age 65, instead of age 55 as recommended by the Committee; that United States magistrates be permitted to elect retirement benefits under Section 373; and that judges currently receiving annuities under Section 373 be permitted to retain these annuities, or elect to receive an annuity under the amended section. The Conference authorized the preparation of draft legislation in accordance with the Committee's report and recommendations, as modified above, and its submission to the Congress. The draft bill should also include an amendment to Section 371 to authorize a graduated scale of eligibility for retirement or resignation for Article III judges beginning at age 65 with 15 years of service. The Conference directed that any problems

with the legislation be referred to the Executive Committee of the Conference.

PRISONER CIVIL RIGHTS CASES

Judge Hunter called attention to the January 1980 publication of the Federal Judicial Center entitled "Recommended Procedures for Handling Prisoner Civil Rights Cases in the Federal Courts". This oft-cited report, the product of a Federal Judicial Center Committee under the chairmanship of Judge Ruggero J. Aldisert, has never been specifically recognized by the Conference. Upon the recommendation of the Committee the Conference formally recognized the significance of this report and urged the district courts to implement the procedures and the suggested forms contained therein.

NATIONAL COURT OF APPEALS AND INTERCIRCUIT TRIBUNAL OF THE UNITED STATES COURTS OF APPEALS

H.R. 4762, 97th Congress, would create an intercircuit tribunal of the United States courts of appeals composed of not less than 14 nor more than 22 circuit judges in regular active service or senior status who would be assigned to serve on the tribunal for a period of five years. The Chief Justice would designate the judges to serve on the court and would designate one of the judges to serve as the presiding judge. Service on the court would be in addition to the regular duties of the assigned judges.

The intercircuit tribunal would have jurisdiction over cases referred to it by the Supreme Court. Referral would be made either after the Supreme Court denies certionari or before it notes probable jurisdiction of an appeal. The tribunal could deny a review of any case referred to it, unless the Supreme Court directs that it be heard. All decisions of the tribunal would be binding on all courts of the United States and with respect to questions arising under the Constitution, laws, or treaties of the United States, on all other courts. Any case decided by the tribunal could be further reviewed by the Supreme Court by writ of certiorari granted upon the petition of any party to any case before or after rendition of judgment or decree. The intercircuit tribunal is sussetted after five years. Due to the court's temporary nature there are reportok provisions so that Congress can determine whether the tribunal should be continued.

S. 1529, 97th Congress, would establish a permanent National Court of Appeals consisting of a judge and eight associate judges to be appointed by the President, by and with the advice and consent of the Senate, to serve on the same basis and at the same salaries as judges of the courts of appeals. The jurisdiction of the court would be the same as that of the intercircuit tribunal.

The Conference voted to express no position on the question of whether a new court or tribunal should be created at this time and remanded the question to the Committee for further study. The Chief Justice abstained from taking any part in the discussion of these proposals.

DIVISIONAL VENUE IN CIVIL CASES

Judge Hunter stated that the Committee had considered a proposal, recently put forward in the Congress as an amendment to pending legislation but then withdrawn, to repeal 28 U.S.C. 1393 which provides for divisional venue in civil cases. The Committee noted that divisional venue in criminal cases was abolished in 1986 as a result of an amendment to Rule 18, Federal Rules of Criminal Procedure, and that no apparent harm to litigants, or to the fair and expeditious administration of justice, resulted. Upon the recommendation of the Committee the Conference approved the repeal of the divisional venue statute, 28 U.S.C. 1393, and directed that an appropriate bill be drafted and transmitted to the Congress.

INTERIM DESIGNATION OF A UNITED STATES ATTORNEY OR UNITED STATES MARSHAL

S. 1921, 97th Congress, would amend 28 U.S.C. 546 and 565 to authorize the Attorney General to appoint an interim United States attorney or interim United States marshal when there is a vacancy in either office, in lieu of an appointment by the United States district court. This change provides for the appointment of an Executive Branch officer by a senior representative of the Executive Branch which is more in accord with the doctrine of separation of powers than the present system. Upon the recommendation of the Committee the Conference approved S. 1921.

NATIONAL JUDICIAL STUDY COMMISSION AND A STATE JUSTICE INSTITUTE

- S. 675, 97th Congress, would establish a Federal Jurisdiction and Review Commission to make a two-year study of the jurisdiction of the courts of the United States and of the several states, and to make recommendations to the President and Congress on needed revisions, if any, in related provisions of the Constitution and laws of the United States. S. 675 is identical to S. 3123, 98th Congress. In March 1981, Conf. Rept. p. 21, the Conference expressed its approval of the objective to be served by S. 3123, namely, a general review of the relationship between Federal and State court jurisdictions.
- S. 1536, 97th Congress, would create a temporary "Federal Courts Study Commission" to draft a long-range plan for the future of the Judiciary and to make recommendations to a permanent "Federal Courts Advisory Council on the Future of the Judiciary." The Council would review the commission's report and make recommendations to the President and the Congress. Thereafter the Council would: (1) oversee Federal court jurisdiction review and the proposed revisions; (2) stimulate the evaluation of and provide an eventual solution to problems currently facing the courts; (3) review the findings of the legislative study group; (4) order, receive, and review reports from all dispute resolving bodies, including courts, administrative agencies, and Federal Justice centers; and (5) afford continuity and uniformity to the ongoing study of the Judiciary.

The Committee recommended that the Conference reaffirm its general approval of the objectives of \$.675, noting that the creation of a temporary Commission to study the jurisdiction of State and Federal courts is desirable. In this regard the Committee also endorsed the creation of a temporary Federal Court Study Commission as envisioned in \$.1530. Nonetheless, the Committee believed that the establishment of a permanent Advisory Council is unnecessary at this time and therefore should be opposed. Further, the Committee noted that the creation of any study commission should not interfere with the enactment of jurisdictional changes previously recommended by the Conference, such as the abolition of diversity of cit/senship jurisdiction.

S. 537 and H. R. 2427, 97th Congress, are companion measures to aid state and local governments in strengthening and improving their justice systems through the creation of a State Justice Institute. The Institute would be a private, non-profit corporation governed by a board of directors consisting of six judges and one State court administrator appointed by the President from a list of nominees submitted by the Conference of State Chief Justices. In addition the President would appoint four members from the private sector. Although the Institute would be a separate private corporation, its staff would be employees of the United States for various personnel purposes. The Institute would be authorized to accept nonfederal funds and would be granted federal funding for three years. Pederal funds, however, could not be used for operational purposes, and matching state funds in a smaller amount than Federal contributions would be required.

It was the view of the Committee that the creation of an organization to faster improvements in state court systems is desirable and in the long run would be beneficial to the Federal courts. It therefore recommended the creation of a State Justice Institute, and the Conference approved provisions in S. 537 and H.R. 2407 which would achieve that objective.

In its examination of the provisions in all these bills authorizing studies of the allocation of jurisdiction between Federal and State courts, the Committee noted that, while the State Court Institute bill's provisions would achieve the study objectives, the Committee preferred the Commission membership approaches in S. 675 and S. 1530, because they would guarantee a better ratio of Federal judicial participation than does the State Justice Institute proposal. Because of the multiplicity of issues presented by several aspects of S. 675 and S. 1530, however, Judge Hunter informed the Conference that his Committee would prefer to review them further at its next meeting. The Conference approved that course of action, provided that, if the need arises, the Chairman of the Committee is authorized to present tentative views to the Executive Committee of the Conference for its consideration.

COMMITTEE ON THE BUDGET

Judge Charles Clark, Chairman of the Committee on the Budget, submitted the Committee's report.

APPROPRIATIONS FOR THE FISCAL YEAR 1962

Judge Clark in med the Conference that the Appropriations Bill for the 'udiciary for the Fiscal Year 1982 was approved by the House of Representatives but remains to be acted on in the Senate. The Judiciary had requested a total of \$728,941,000 for 1982 and the House-passed bill authorised \$701,800,000, which was later reduced by the Senate Appropriations Committee to \$697,000,000. This is the spending limit for the current fiscal year.

The Administrative Office has also transmitted to Congress a request for a supplemental appropriation in the amount of \$34,143,000 for the Fiscal Year 1982 to cover the 4.8 percent salary increase authorized last October. In addition, a supplemental request to cover a projected deficiency of \$2,350,000 in the appropriation for Defender Services has been submitted to the Congress.

AMENDMENTS TO THE BUDGET REQUEST FOR THE PISCAL YEAR 1983

Filings of civil and criminal cases in the district courts are rising much more rapidly than originally projected. To manage this increased workload the Budget Committee has requested an amendment to the 1983 budget request in the amount of \$3,805,000 for an additional 133 deputy clerk positions. The Committee has also requested that contingency funds be added to the request for bankruptey court appropriations in the amount of \$2,523,000 for 39 deputy clerk estate administrator positions in the event that the United States trustee program in the pilot districts is not funded by the Department of Justice, and an additional \$1,599,000 to convert 3 part-time magistrate positions to full-time status and to provide 25 additional legal assistants to magistrates, items that are being recommended to the Conference at this session. Judge Clark also informed the Conference that the 1983 appropriation request to cover fees of jurors and commissioners was reduced from \$51,100,000 to \$48,000,000 because of an unexpected carry forward from 1981 and reductions in mileage allowances.

JUDICIAL ETHICS COMMITTEE

Judge Edward A. Tamm, Chairman of the statutory Judicial Ethics Committee, presented the Committee's report.

REPORTING FORM AND INSTRUCTIONS

In accordance with Sec. 303(c) of the Ethics in Government Act of 1978 the Conference approved the revised financial disclosure report form and instructions submitted by the Committee. The Director of the Administrative Office was authorized to have the new forms and instructions printed and distributed promptly to those individuals who are required to file annual reports by May 15, 1982.

SOCIAL SECURITY INCOME

The Committee had previously determined that Social Security income should be reported on the financial disclosure statement. Last year the instructions accompanying the report form were amended to so indicate. Judge Tamm stated that upon reconsideration the Committee now believes that Social Security income, which is received from the Government, need not be reported. Furthermore, the Committee has been advised that the reporting of Social Security income is not required by the Executive Branch of the Government. Accordingly, the requirement of reporting Social Security income has been deleted from the instructions.

AMENDMENTS TO THE ETHICS IN GOVERNMENT ACT

The Ethics in Government Act of 1978 requires the Judicial Ethics Committee, with the approval of the Judicial Conference, to "submit to the Congress and the President recommendations for legislative revision of this title." Judge Tamm stated that the Committee had carefully reviewed the Act and had voted to recommend these changes (1) an amendment to Sec. 302(a)(6) to make it clear that the reporting period for reporting items under this subdivision is the year of the report and not the current calendar year, and a further amendment to strike the reference in the subdivision to positions held in "political" entities; (2) an amendment to Sec.

302(e)(1), relating to the disclosure of the income, assets and gifts received by a spouse or dependent child, to eliminate the requirement of reporting "category of value" and to make it clear that gifts or reimbursements to a dependent child must also be reported; (3) an amendment to Sec. 308(10), relating to the definition of a "judicial employee", to give the Judicial Ethics Committee a degree of flexibility in determining which employees, other than those authorized to perform adjudicatory functions, must file financial disclosure statements; and (4) the repeal of Sec. 302(g) pertaining to the reporting of "political campaign funds". Upon the recommendation of the Committee the Conference approved these proposed amendments to the statute and authorized the Director of the Administrative Office to draft a bill for prompt submission to the Congress.

FEES FOR COPIES OF DISCLOSURB REPORTS

Judge Tamm stated that the Committee has determined that the cost of furnishing copies of financial disclosure statements, including the cost of postage, exceeds the fee of 25 cents per page previously recommended by the Committee and approved by the Conference, Conf. Rept., March 1979, p. 22. Upon the recommendation of the Committee the Conference increased the copy fee from 25 cents per page to 50 cents per page.

REVIEW OF FINANCIAL DISCLOSURE STATEMENTS

In the last three years the review of financial disclosure statements has been conducted entirely by the judges who are members of the Committee. The work has been timeconsuming. Judge Tamm stated that the Committee has now decided to compare current reports with those filed in prior years and for this reason the Committee will require staff assistance. Accordingly, the Committee has called upon the Director of the Administrative Office to provide the Committee with temporary staff assistance during the period April 15 to June 15, 1982 to conduct, on a pilot or trial basis, the initial review of all financial disclosure statements for the calendar year 1981 in order that the initial, confidential review will be conducted under uniform standards and will include comparisons with the reports filed for prior years. The financial disclosure statements together with notations of any deficiencies and recommendations will then be sent to

Committee members for further review and recommendations for action. At its next meeting the Committee will review this procedure and report further to the Conference.

ADVISORY COMMITTEE ON CODES OF CONDUCT

Chief Judge Howard T. Markey, Chairman of the Advisory Committee on Codes of Conduct, presented the Committee's report.

ACTIVITIES OF THE COMMITTEE

Judge Markey informed the Conference that since its last report the Committee has received 16 inquiries from persons subject to the various Codes of Conduct and has issued nine advisory responses. In addition to the three opinions referred to in its last report, the Committee has published three other opinions relating to the disqualification of a judge in a class action, disqualification after oral argument, and the use of the title "Judge" by former judges in connection with proceedings before Federal courts.

SENIOR JUDGES AS ARBITRATORS

Judge Markey also informed the Conference that the Committee had been requested to consider whether Canon 5E would preclude senior judges from acting as arbitrators. Although an appropriate arbitration program could assist in meeting at least a part of the problem presented by congested court dockets, the Committee concluded that Canon 5E would indeed preclude a Pederal judge from arbitrating a dispute not subject to Federal court jurisdiction. After full discussion the Conference requested the Chief Justice to appoint a committee to study and report back on the concept of senior judges serving as arbitrators and the details of a program implementing that concept.

COMMITTEE ON THE ADMINISTRATION OF THE FEDERAL MAGISTRATES SYSTEM

The report of the Committee on the Federal Magistrates System was presented by the Chairman, Judge Otto R. Skopil, Jr.

SALARIES OF PART-TIME MAGISTRATES

The Federal Magistrates Act, 28 U.S.C. 634(a), authorizes the Judicial Conference to set the salaries of parttime magistrate positions in amounts up to one-half the maximum salary payable to full-time magistrates. Under this authority the Conference established a system of 15 standard salary levels for part-time magistrates ranging from \$900 per annum to \$26,750 per annum. Effective January 1, 1982 the salary of a full-time magistrate was increased to \$58,500 per annum. The Conference, upon the recommendation of the Committee, established a new standard salary level of \$29,250 for part-time magistrates. The Conference also approved the recommendation of the Committee that the 4.8 percent "comparability" salary increase granted to government employees generally on October 1, 1981 not be granted across the board to all part-time magistrates. The Conference agreed that the salaries for part-time positions should be set in accordance with the normal survey process.

CHANGES IN MAGISTRATE POSITIONS

After consideration of the report of the Committee and the recommendations of the Director of the Administrative Office, the district courts and the judicial councils of the circuits, the Conference approved the following changes in salaries and arrangements for full-time and part-time magistrate positions. Unless otherwise indicated, these changes are to become effective when appropriated funds are available. The salaries of full-time magistrate positions are to be determined in accordance with the salary plan previously adopted by the Conference.

FIRST CIRCUIT

Maine

(1) Converted the part-time magistrate position at Portland to a full-time magistrate position.

Massachusetts

- Continued the part-time magistrate position at Springfield for an additional four-year term.
- (2) Increased the salary of the part-time magistrate position at Springfield from \$6,490 to \$8,200 per annum.
- (3) Discontinued the part-time magistrate positions at New Bedford and Pittsfield.

Rhode Island

 Authorised the clerk of court at Providence to perform the duties of a part-time magistrate for an additional four-year term at the currently authorised aggregate salary of JSP-16.

SECOND CIRCUIT

Northern District of New York

- Authorised the clerk of court at Albany to continue to perform the duties of a part-time magistrate after the appointment of a full-time magistrate at Albany.
- (2) Continued the part-time magistrate position at Champlain/Plattsburgh for an additional four-year term at the currently authorized salary of \$6,400 per annum.
- (3) Continued the part-time magistrate position at Watertown for an additional four-year term at the currently authorised salary of \$1,800 per annum.

Western District of New York

- Continued the part-time magistrate position at Rochester for an additional four-year term at the currently authorised salary of \$2,700 per annum.
- (2) Continued the part-time magistrate positions at Elmira and Niagara Falls for additional four-year terms at the currently authorised salary of \$900 per annum each.

THIRD CIRCUIT

Western District of Ponnsylvania

 Continued the part-time magistrate position at Erie for an additional four-year term at the currently authorized salary of \$10,000 per annum.

Virgin Islands

 Converted the combination bankruptcy judgemagistrate position at Christiansted to a part-time magistrate position at a salary of \$29,300 per annum.

POURTH CIRCUIT

Maryland

- Increased the salary of the part-time magistrate position at Prince Georges County (Hyattsville) from \$17,900 to \$29,250 per annum.
- (2) Changed the official location of the part-time magistrate position at Prince Georges County (Hyattsville) to Upper Mariboro.
- (3) Continued the part-time magistrate position at Hagarstown for an additional four-year term at the currently authorised salary of \$6,460 per annum.
- (4) Continued the part-time magistrate position at Salisbury for an additional four-year term.
- (5) Increased the salary of the part-time magistrate position at Salisbury from \$1,800 to \$3,600 per annum.

Eastern District of North Carolina

- Converted the part-time magistrate position at Fayetteville to a full-time position.
- (2) Increased the salary of the part-time magistrate position at Payetteville from \$26,750 to \$29,250 per annum pending conversion of the position to full-time status.

South Carolina

- Continued the part-time magistrate position at Florence for an additional four-year term at the currently authorized selary of \$3,600 per annum.
- (2) Continued the part-time magistrate position at Alicen for an additional four-year term at the currently authorised salary of \$900 per annum.

Eastern District of Virginia

(1) Continued the full-time magistrate position at Richmond for an additional eight-year term.

PIPTH CIRCUIT

Middle District of Louisiana

(1) Converted the combination bankruptcy judgemagistrate position at Baton Rouge to t. part-time magistrate position at a salary of \$10,000 per annum.

Eastern District of Texas

- (1) Continued the part-time magistrate position at Texarkans for an additional four-year term.
- (2) Increased the salary of the part-time magistrate position at Texarkana from \$1,800 to \$2,700 per annum.

Western District of Texas

(1) Converted the part-time magistrate position at El Paso to a full-time magistrate position.

- (2) Increased the salary of the part-time magistrate position at El Paso from \$26,750 to \$29,250 per annum pending conversion of the position to full-time status.
- (3) Decreased the salary of the part-time magistrate position at Midland/Odessa from \$15,500 to \$6,400 per annum, effective upon the appointment of the new full-time magistrate at El Paso.

SIXTH CIRCUIT

Middle District of Tennessee

 Continued the part-time magistrate position at Columbia for an additional four-year term at the currently authorised salary of \$4,500 per annum.

SEVENTH CIRCUIT

Central District of Illinois

 Authorised the clerk of court at Peoria to perform the duties of a part-time magistrate for an additional four-year term without additional compensation for magistrate duties.

Southern District of Indiana

- Continued the part-time magistrate position at New Albany for an additional four-year term at the currently authorised salary of \$1,800 per annum.
- (2) Continued the part-time magistrate position at Terre Haute for an additional four-year term.
- (3) Increased the salary of the part-time magistrate position at Terre Haute from \$1,800 to \$4,500 per annum.

Western District of Wisconsin

(1) Continued the part-time magistrate position at Wausau for an additional four-year term at the currently authorised salary of \$900 per annum. (2) Authorized the bankruptcy judge at Eau Claire to perform the duties of a part-time magistrate for an additional four-year term at the currently authorized salary of \$900 per annum for magistrate duties.

EIGHTH CIRCUIT

Southern District of Iowa

- Continued the part-time magistrate position at Council Bluffs for an additional four-year term at the currently authorized salary of \$8,400 per annum.
- (2) Increased the salary of the part-time magistrate position at Burlington from \$2,700 to \$3,600 per annum.

Eastern District of Missouri

 Continued the part-time magistrate position at Hannibal for an additional four-year term at the currently authorized salary of \$900 per annum.

N obraska

 Continued the part-time magistrate positions at Gering/Scottsbiuff and North Platte for additional four-year terms at the currently authorised salary of \$800 per annum each.

Morth Dakota

- Continued the part-time magistrate position at Bismarck for an additional four-year term at the currently authorized salary of \$6,400 per annum.
- (2) Continued the part-time magistrate positions at Grand Forks, Minot and Minnewaukan/Devils Lake for additional four-year terms at the currently authorised salary of \$2,700 per annum each.

NINTH CIRCUIT

Alaska

 Continued the part-time magistrate position at Pairbanks for an additional four-year term at the currently authorised salary of \$20,300 per annum.

Arisona

- Continued the part-time magistrate position at Grand Canyon National Park for an additional four-year term at the currently authorised salary of \$20,300 per annum.
- (2) Continued the part-time magistrate position at Yuma for an additional four-year term at the currently authorised selary of \$15,500 per assum.
- (3) Authorised the appointment of a new part-time magistrate position at Tueson at a salary of \$23,100 per annum.
- (4) Discontinued the part-time magistrate positions at Douglas/Bisbee and Negales, effective upon the appointment of the new part-time magistrate at Tueson.
- (5) Authorised the part-time magistrate at Page to exercise jurisdiction in the District of Utah in accordance with 28 U.S.C. \$ 631(a).

Bastern District of California

- (1) Authorised a part-time magistrate position at Secremento at a salary of \$17,900 per annum.
- (2) Discontinued the part-time magistrate position at Modesto.
- (3) Continued the part-time magistrate position at South Lake Takee for an additional four-year term.
- (4) Increased the salary of the part-time magistrate position at South Lake Tahoe from \$1,800 to \$8,400 per annum.
- (5) Increased the salary of the full-time magistrate position at Yosemite National Park from \$34,250 to \$35,894 per annum.

Southern District of California

 Increased the salary of the part-time magistrate position at San Diego from \$25,750 to \$25,250 per annum pending conversion of the position to full-time status.

Montane

- (1) Converted the part-time magistrate position at Billings to a full-time magistrate position.
- (2) Continued the part-time magistrate position at Great Palls for an additional four-year term.
- (3) Decreased the salary of the part-time magistrate position at Great Falls from \$15,500 to \$8,300 per annum, effective upon the appointment of the fulltime magistrate at Billings.
- (4) Continued the part-time magistrate position at Kalispell for an additional four-year term at the currently authorized salary of \$4,500 per assum.
- (5) Continued the part-time magistrate position at Missoula for an additional four-year term at the currently authorized salary of \$2,700 per assum.
- (6) Continued the part-time magistrate position at Holena for an additional four-year term at the currently authorized salary of \$1,000 per annum.
- (7) Continued the part-time magistrate position at Cut Bank for an additional four-year term at the currently authorised salary of \$000 per assum.
- (8) Continued the part-time magistrate position at Butte for an additional four-year term.
- (9) Decreased the salary of the part-time magistrate position at Butte from \$3,600 to \$1,800 per annum, effective at the beginning of the new term.
- (10) Continued the part-time magistrate position at Welf Point for an additional four-year term.

- (11) Decreased the salary of the part-time magistrate position at Welf Point from \$2,700 to \$1,500 per annum, effective at the beginning of the new term.
- (12) Discontinued the part-time magistrate position at Miles City at the end of the current term.

Hoveda

 Increased the salary of the part-time magistrate position at Rose from \$26,750 to \$29,250 per annum pending conversion of the position to full-time status.

TENTH CERCUIT

Colorado

- Continued the part-time magistrate position at Colorado Springs for an additional four-year term at the currently authorized selary of \$20,300 per annum.
- (2) Continued the part-time magistrate positions at Cortex and Steambest Springs/Craig for additional four-year terms at the currently authorized salary of \$1,900 per assum each.
- (3) Continued the part-time magistrate position at Monte Vista for an additional four-year term.
- (4) Increased the salary of the part-time magistrate position at Monte Vista from \$000 to \$1,000 per
- (5) Discontinued the part-time magistrate positions at Fort Collins and Lamer.

New Mexico

- (1) Continued the part-time magistrate position at Las Cruces for an additional four-year term.
- (2) Increased the salary of the part-time magistrate position at Las Cruees from \$13,000 to \$15,500 per annum.

Wyoming

 Increased the salary of the full-time magistrate position at Yellowstone National Park from \$29,000 to \$36,392 per assum.

ELEVENTH CIRCUIT

Northern District of Alabama

 Continued the full-time magistrate position at Birmingham which is due to expire on October 13, 1962 for an additional eight-year term.

Middle District of Alabama

- (1) Continued the full-time magistrate position at Montgomery for an additional eight-year term.
- (2) Continued the part-time magistrate position at Dothan for an additional four-year term at the currently authorised salary of \$25,300 per annum.
- (3) Discentinued the part-time magistrate position at Opalika at the expiration of the current term.

Southern District of Alabama

 Continued the part-time magistrate position at Salma for an additional four-year term at the currently authorized salary of \$1,000 per annum.

Middle District of Florida

- Continued the full-time magistrate position at Jacksonville which is due to expire on August 26, 1963 for an additional eight-year term.
- (2) Continued the full-time magistrate position at Orlando for an additional eight-year term.
- (3) Continued the part-time magistrate position at Fort Myers for an additional four-year term at the currently authorised salary of \$000 per annum.

Northern District of Georgia

- Continued the part-time magistrate position at Gainesville for an additional four-year term at the currently authorised salary of \$6,400 per annum.
- Continued the part-time magistrate position at Rome for an additional four-year term.
- (3) Increased the salary of the part-time magistrate position at Rome from \$11,800 to \$26,750 per annum.
- (4) Continued the part-time magistrate position at Newman/La Grange for an additional four-year term.
- (5) Increased the salary of the part-time magistrate position at Neuman/La Grange from \$1,800 to \$2,700 per assum.

Middle District of Georgia

 Authorised the part-time magistrate at Columbus to exercise jurisdiction in the Middle District of Alabama in accordance with 28 U.S.C. \$ 631(a).

LEGAL ASSISTANT POSITIONS

Judge Skopil advised the Conference that the Committee had reviewed requests for an additional 44 legal assistant positions for United States magistrates, had approved 26 requests and had deferred action on the remaining 18 requests. The Committee advised the Conference that a magistrate need not be authorized to try civil cases on consent of the litigants under 28 U.S.C. 636(e) in order to qualify for a legal assistant position as long as the magistrate otherwise performs a full range and an appreciable volume of judicial duties for the court under 28 U.S.C. 636(b).

COMMITTEE ON THE ADM. ATION OF THE

Judge Robert E. Dellaselo, Chairman of the Committee on the Administration of the Bankruptcy System, presented the Committee's report.

ARRANGEMENTS FOR BANKRUPTCY JUDGES

The Conference upon the recommendation of the Committee took the following action with respect to changes in arrangements for bankrupty judges. These changes are to become effective when appropriated funds are available.

SECOND CIRCUIT

Eastern District of New York

- (1) Designated Westbury as the headquarters for the baskruptey judges now located at Westbury and discontinued Hompstond as the headquarters and a place of holding baskruptey court in the district.
- (2) Designated Hauppauge in Suffolk County as an additional place of holding bankruptey court for the bankruptey judges in this district.

ELEVENTH CIRCUIT

Morthern District of Alabama

 Transferred the part-time bankruptcy judge position at Birmingham to Decatur and combined it with the existing part-time position at Decatur to increase that position to full-time status.

BANKRUPTCY ADMINISTRATOR

The Conference postponed for consideration at its next session a proposal of the Committee to create the position of bankruptey administrator in the Federal Judiciary in the event the United States trustee system is not funded by the Congress, or is otherwise discontinued.

COMMITTEE ON THE ADMINISTRATION OF THE PROBATION SYSTEM

Judge Gerald B. Tjoflat, Chairman of the Committee on the Administration of the Probation System, presented the Committee's report.

SENTENCING INSTITUTES

The Conference in September 1981, Conf. Rept. p. 88, approved the time, place, participants, and tentative agenda for a joint sentencing institute for the judges of the Eighth and Tenth Circuits to be held in the vicinity of the Medical Center for Federal Prisoners at Springfield, Missouri, April 26-27, 1982. The Committee submitted the final agenda for the Sentencing Institute which the Conference approved. The Conference also approved the attendance at this Institute of newly appointed district judges of the 5th, 6th, 7th, and 9th Circuits who have not previously attended a sentencing institute, subject to the availability of travel funds. The Conference also authorized the Chairman of the Committee to invite selected members and staff of the House and Senate Judiciary Committees to attend the Institute.

The Conference in September 1978, Conf. Rept. p. 73, encouraged circuit judges to attend sentencing institutes. Upon the recommendation of the Committee the Conference reaffirmed its previous action and strongly encouraged both circuit and district judges to attend future sentencing institutes.

OF THE CRIMINAL LAW

Judge Alexander Harvey II, Chairman of the Committee on the Administration of the Criminal Law, presented the Committee's report.

CRIMINAL CODE REVISION

Judge Harvey reported that the Committee had reviewed S. 1630, H.R. 1647 and H.R. 4711, 97th Congress, which are bills to revise the criminal code, and had re-examined a number of positions taken by the Conference in the past.

At the Committee's suggestion the Conference reaffirmed the following recommendations previously made to the Congress regarding the provisions of a new Federal criminal code:

- That the code not include ancillary or "piggyback" jurisdiction over certain violent crimes occurring during the commission of a specified federal offense;
- (2) That the Congress adopt the Conference's definitions of the terms "knowingly", intentionally", "recklessly" and "negligently";
- (3) That the defenses of insanity, intoxication, mistake of law or fact, reliance upon official misstatement, duress, protection of persons and property, and renunciation be left to case law development and not be defined in the code;
- (4) That the code not include the offense of "criminal solicitation"; and
- (5) That the code include certain provisions of the Youth Corrections Act permitting a court to set aside the conviction of a youthful offender.

The Conference also voted to oppose provisions in the pending bills requiring the Attorney General to issue guidelines governing the exercise of Federal jurisdiction when there is concurrent state jurisdiction over a crime, requiring the court to share its contempt powers with the prosecutor, and placing a celling on the punishment a court may impose for criminal contempt.

The Conference also voted to recommend that the new code become effective on January 1st following the fourth year after its enactment, but it further recommended that any amendments to the Criminal Justice Act of 1964, particularly the increase in the rates of compensation payable to court-appointed counsel, should become effective upon enactment. The Committee was authorized to confer with the Committee on the Implementation of the Criminal Justice Act to determine a proper method of compensating guardians ad litem appointed in criminal cases in which juveniles are defendants, as would be authorized by the code. The Committee was also authorized to reconsider, in light of the discussions in the Conference, its proposed amendments to the draft bill on the treatment of mentally incompetent persons, which had been previously approved by the Conference.

COMMITTEE ON THE OPERATION OF THE JURY SYSTEM

Chief Judge C. Clyde Atkins, Chairman of the Committee on the Operation of the Jury System, presented the report of the Committee.

JURY TRIALS IN LAND CONDEMNATION CASES

The Chairman of the House Judiciary Committee had requested the views of the Conference on H.R. 3691, 97th Congress, which is a bill to amend Rule 71A(h), Federal Rules of Civil Procedure, to restore the right to a jury trial in certain cases involving the exercise by the United States of the power of eminent domain. The bill would grant an absolute right to a trial by jury in land condemnation cases, thus removing the court's discretion to appoint a special commission to consider the question of just compensation. The Committee pointed out that the use of commissions in land cases has brought consistency in the valuation of parcels of land in the same feetabl hical area, has obviated the difficulty and expense of having a jury view the property in question, and has minimised the increasing difficulty juries have in determining the valuation of air rights and other sophisticated forms of property rights. Upon the recommendation of the Committee, the Conference voted to express its apposition to the enectment of H.R. 3691.

witnesses before grand juries

H.R. 4272, 97th Congress, is a bill to provide for the assistance of coursel for witnesses appearing before grand juries and to authorise the court to appoint and compensate coursel for any person subpossed to appear before a grand jury who is financially unable to obtain coursel. The bill would guarantee the assistance of coursel "during any time that such person is being questioned in the presence of" the grand jury. It would preclude the grand jury from receiving evidence or hearing testimony from any subpossed person who is financially unable to obtain coursel and who did not waive coursel, unless coursel was appointed for such person. The Committee was concerned that allowing attorneys to be present in the grand jury room would impede the investigative process of the grand jury, making it more closely resemble an adversary proceeding contrary to the essential nature and

historical traditions of the grand jury system. The presence of attorneys would also make it more difficult to maintain the secrecy of the proceedings, a concern recently expressed by the General Accounting Office. Upon the recommendation of the Committee the Conference adopted the following resolution:

The Judicial Conference resolves and recommends to the Congress in opposition to H.R. 4272, a bill to amend Title 18, United States Code, and which provides in part that counsel shall be allowed to be present in the grand jury room during its sessions. Among the serious concerns raised by this bill are (1) that the investigative work of the grand jury would be seriously impaired by permitti this adversary practice, and (2) that it would exacerbate the substantial existing problems which inhere in the representation by the same attorney of multiple witnesses or targets before a grand jury. It is the position of the Conference that the interests of witnesses are substantially served by the present practice of permitting a witness to afor with council outside of the grand jury room as necessary during its sessions.

VOIR DIRE EXAMINATION

2. 1532, 97th Congress, is a bill to amend Rule 34(a), Federal Rules of Criminal Procedure, and Rule 47(a), Pederal Rules of Civil Procedure, to permit the parties or their attorneys to conduct the voir dire examination of prospective potit jurors. In the past the Conference has consistently expressed its opposition to this legislation, and Judge Attima informed the Conference that its previously expressed views had already been communicated to the Sunate Judiciary Committee. Upon the recommendation of the Committee, the Conference expressed its disapproval of S. 1532.

PERIODIC REPORTING -JURY SELECTION

The Conference in March 1975, Conf. Rept. p. 14, approved the recommendations of the Committee requiring the

district courts upon the refilling of jury wheels to make a rendom sample of returned questionnaires to determine whether the jury wheels comply with the rendomness and nondiscrimination provisions of 28 U.S.C. 1961 and 1962 and to report the results to the Administrative Office. Judge Atkins stated that it was the view of the Committee that the clerks of the district courts should continue to collect the statistical information previously required, but that it is no longer necessary to report such information to the Administrative Office. The responsibility for complying with the requirements of the Jury Act would remain with the district court, and the judicial councils of the circuits should exercise oversight responsibility. The Conference recommitted this proposal with the request that the Committee consider whether a clerk of the district court can discharge the court's responsibility under the Jury Act.

SECURITY OF JUROR DELIBERATIONS

Judge Atkins stated that the Committee has been concerned that any future reduction in the resources of the United States Marshals Service for court security may imperil the availability of deputy marshals to tend upon juries, particularly when they are deliberating in civil cases. Upon the recommendation of the Committee the Conference adopted the following resolutions

The Judicial Conference has received and concurs in the expressions of concern by United States district judges that the personal security of jurers serving in their courts, as well as the security of jury deliberations, must not be compromised during this time of constricted resources for court security generally.

COMMITTEE ON STYRECTICUIT ASSOCIATIONS

The written report of the Committee on Intercircuit Amignments, submitted by the Chairman, Judge Goorge L. Hart, Jr., was received by the Conference.

The report indicated that during the period August 15, 1961 to February 16, 1962 the Committee recommended 100 emignments to be undertaken by 63 judges. Of this number 14

were senior circuit judges, 2 were active circuit judges, 30 were senior district judges, 1 was an active district judge, 5 were active judges of the Court of Customs and Patent Appeals, 1 was a senior judge of the Court of Claims, 7 were active judges of the Court of Claims, 2 were active judges of the Court of International Trade, and 1 was a retired justice of the Supreme Court.

Porty-four judges undertook 67 assignments to the courts of appeals and 23 judges undertook 30 assignments to the district courts. In addition the 5 active judges of the Court of Customs and Patent Appeals were assigned to serve on the Court of Claims and the 7 active judges of the Court of Claims were assigned to serve on the Court of Customs and Patent Appeals.

COMMITTEE TO IMPLEMENT THE CRIMINAL JUSTICE ACT

Judge Thomas J. MacBride, Chairman of the Committee to Implement the Criminal Justice Act, presented the report of the Committee.

APPOINTMENTS AND PAYMENTS

Judge MacBride submitted to the Conference a summary report on appointments and payments under the Criminal Justice Act for the fiscal year ending September 30th, 1981. The report indicated that Congress appropriated \$24,000,000 for "defender services" during the fiscal year and that an unobligated balance of approximately \$6,000,000 had been carried forward from the fiscal year 1980 making a total of \$30,000,000 available for obligations during the fiscal year 1981. Projected obligations for the year are \$28,000,000, leaving an estimated balance of \$2,000,000 to carry forward into the fiscal year 1982. During the year approximately 43,500 persons were represented under the Criminal Justice Act, compared to 43,060 persons represented during the fiscal year 1980, an increase of 1 percent. Of these persons, Federal Public and Community Defender Organizations represented 22,526 or 51.8 percent of the total representations compared to 49.7 percent in the fiscal year 1980 and 48.1 percent in the fiscal year 1979.

BUDGET REQUESTS -FEDERAL PUBLIC DEFENDERS

The Conference at its last session deferred action on the budget request for the Federal Public Defender Office for the Western District of Washington for the fiscal year 1983. Upon the recommendation of the Committee the Conference approved a request in the amount of \$357,526 for the Federal Public Defender Office in that district for the fiscal year 1983.

Judge MacBride stated that the District of Hawaii had amended its plan for the implementation of the Criminal Justice Act to provide for a Federal Public Defender Organization and that the Judicial Council of the Ninth Circuit had approved the amended plan. The authorised staff for this office will include one full-time attorney in addition to the Federal Public Defender. Upon the recommendation of the Committee the Conference approved a budget request in the amount of \$165,812 to establish the Federal Public Defender Organization and to provide six months of operation during the fiscal year 1982. The Conference also approved a budget request in the amount of \$222,658 for the fiscal year 1983.

GUIDELINES

The Committee submitted to the Conference the following amendments to the Guidelines for the Administration of the Criminal Justice Act which were approved by the Conference:

 An amendment to paragraph 2.31, the redesignation of paragraph 3.15 as 3.16 and the addition of a new paragraph 3.15 to provide guidance with regard to the utilization of law students and computer-assisted legal research;

 An amendment to paragraphs 2.30 and 3.06 and the addition of new Appendices E and F to provide sample "memorandum orders" authorizing interim payments of compensation under the Criminal Justice

Act; and

 An amendment to Appendix C to clarify the sample memorandum pertaining to advance approval for obtaining expert or investigative services.

COMMUNITY DEFENDER ORGANIZATIONS -CONDITIONS OF GRANT

The Conference, upon the recommendation of the Committee, approved an amendment to clause 19 of the "Community Defender Organization Grant Terms and Conditions" to require the establishment of an Equal Employment Opportunity Program.

REVISIONS TO THE CRIMINAL JUSTICE ACT

At the suggestion of Judge MacBride the Conference urged the Congress to take action on the Conference-approved legislation to amend the Criminal Justice Act which is urgently needed.

COMMITTEE ON RULES OF PRACTICE AND PROCEDURE

Judge Edward T. Gignoux, Chairman of the Committee on Rules of Practice and Procedure, presented the Committee's report.

AMENDMENTS TO THE PEDERAL RULES OF CIVIL PROCEDURE

Judge Gignous submitted to the Conference proposed amendments to Rule 4 of the Pederal Rules of Civil Procedure pertaining to the service of process in a civil action. The proposed amendments are designed to relieve the United States mershals of the duty of serving summonses and complaints in most civil actions in which the government is not a party. Any person who is not a party to the litigation and who is not less than 18 years of age would be permitted to serve the summons and complaint. In addition, the amendments would permit service of summonses and complaints by registered or certified mall, return receipt requested and delivery restricted to the addressee. A default or default judgment could not be entered unless it appears of record that the defaudant accepted or refused to accept service by mail.

At the request of a party, the United States marshals would continue to serve the summons and complaint on behalf of a person authorised to proceed in forma pauperis, 28 U.S.C.

1915, or of a seaman authorized to proceed without the prepayment of costs, 28 U.S.C. 1916; when required by Pederal statute; and pursuant to a court order which is necessary to guarantee effective service in a particular action. The marshals would continue to serve forms of process which require an enforcement presence, such as temporary restraining orders, injunctions, attachments, arrests and orders relating to judicial sales.

Judge Gignoux stated that the proposed amendments to Rule 4 are occasioned by the reduction in appropriations available to the United States Marshals Service and the pending legislation to relieve marshals of the duty to serve the summons and complaint in private civil litigation. Upon the recommendation of the Committee the Conference approved the proposed amendments to Rule 4 and authorized their immediate transmission to the Supreme Court with a recommendation that the amendments be approved by the Court and transmitted to the Congress pursuant to law.

Judge Gignoux also advised the Conference that the Advisory Committee on the Federal Rules of Civil Procedure has conducted public hearings on the proposed amendments to the civil rules distributed to the bench and bar last June. The Advisory Committee has reviewed all comments received and will be submitting its proposals in final form at the next meeting of the Standing Committee.

BANKRUPTCY RULES

The Advisory Committee on Bankruptcy Rules has prepared a draft of new bankruptcy rules and official forms to govern bankruptcy procedure under the new Bankruptcy Code, Title 11 of the United States Code, and the Standing Committee has authorised their distribution to the banch and bar, and the public generally, for comment. Public hearings will be held in New York, Chicago, and San Prancisco during the summer months and written comments will be received until August 1st. The Advisory Committee will meet in August to complete its work and submit its final proposals to the Standing Committee which plans to submit the proposed bankruptcy rules to the Conference at its session next September.

APPELLATE RULES

The Advisory Committee on Appellate Rules is presently without a chairman because of the recent death of Judge Robert A. Aissworth, Jr. The reporter to the Committee is continuing to work on matters previously assigned and to circulate information to the Advisory Committee members pending the appointment of a new chairman.

CRIMINAL RULES

In Pebruary the Advisory Committee on the Pederal Rules of Criminal Procedure conducted public hearings on proposed amendments to the criminal rules distributed to the bench and bar last October. Communts will continue to be received until May 15th and thereafter the Advisory Committee will report its recommendations to the Standing Committee.

EMPLEMENTATION COMMITTEE ON ADMINION OF ATTORNEYS TO PEDERAL PRACTICE

The written report of the Implementation Committee on the Admission of Attorneys to Federal Practice, of which Judge James Lewrence King is Chairman, was received by the Conference.

The report indicated that the Committee had arranged with the Federal Judicial Center to conduct a second informational meeting of pilot court representatives to be hald April 13-14, 1982 in Kansas City, Missouri. The meeting will be attended by the chief judge or other judge overseeing the program in each pilot district and, in addition, by a working member of the local bar implementing committee.

The Committee further reported that six out of the fourteen pilot courts originally selected to participate now have operational programs and that seven others have made substantial progress. Several courts are preparing to implement their programs in the near future. The pilot districts on the whole continue to receive exceptional cooperation from the bar and the legal community.

AD NOC COMMITTEE ON THE DISPOSITION OF COURT RECORDS

Judge Walter J. Cummings, Chairman of the reactivated Ad Hoc Committee on the Disposition of Court Records, presented the report of the Committee.

Judge Cummings informed the Conference that pursuant so the action taken by the Conference in March 1981 (Conf. Rept. p. 12) the Chief Justice had reactivated the Ad Hoc Committee on the Disposition of Court Records to consider problems that have arisen since the approval of the records sposition schedule in March 1986. Judge Cummings stated that the Committee had consulted with the Archivist of the United States, representatives of the Federal Court Clerks Association and representatives of various historical societies. As a result the Committee with the assistance of the staff of the Administrative Office has developed a revised records disposition schedule and program. Upon the recommendation of the Committee the Conference authorized the circulation of the Committee's report and the attached draft of a revised records disposition schedule and program regulations to all judges and other interested court officers with a request that comments thereon be submitted to the Committee. A final report will be submitted at the next session of the Conference.

LLECTIONS

The Conference, pursuant to 28 U.S.C. 332(f), reelected Chief Judge Howard T. Markey to membership on the Board of Certification for Circuit Executives for a term of three years, until July 1, 1985.

The Conference also authorized the Executive Committee of the Conference to select a district judge to serve as a member of the Board of the Federal Judicial Center for a term of four years succeeding Judge Aubrey E. Robinson, Jr. whose term expires on March 28, 1982.

ADDITIONAL JUDGESSEPS

In response to the Department of Justice's amouncement of a major initiative against crime in the Southern District of Picricia, and the Department's prediction that criminal candonds in that district will increase dramatically in future months, the Conference, at the Department's request and on motion of Judge Godbald, recommended the creation of three new permanent judgeship positions for that district, either by anaetment of special ingislation or by revision of presently pending legislation which would authorize me permanent and one temperary position for that court, whichever would be most aspeditions. The Conference also agreed that, once created, the positions should be filled as expeditiously as possible.

STUDY GROUP ON SELECTION OF LAW CLERKS

On motion of Chief Judge Coffin the Conference authorized the Chief Justice to appoint a small study group of judges to explore the prospects of coordinating the selection of law clerks by Federal judges to avoid the confusion that now exists.

COMMITTEE ON JUDGESTEP VACABLES

At the suggestion of Chief Judge Wilfred Peinberg the Chief Justice appointed a committee, to consist of Judges Peinberg, Seitz and Smith, to consider means of expediting the filling of judicial vacancies. Judge Peinberg was named the Chairman of the Committee.

COURT SECURITY

The Conference resolved that the Judicial Councils of the Circuits maintain oversight of the implementation of the recent Attorney General's Task Force Report on Court Security.

OF THE COURTS OF APPLALS

The Conference, pursuant to 20 U.S.C. 48, approved the protermission of terms of the United States courts of appeals during the calendar year 1902 at the following locations at Asheville, North Carolina in the Fourth Circuit; at Kasses City, Missouri and Omaha, Notraska in the Eighth Circuit; and at Oldahoma City, Oklahoma and Wiebita, Kasses in the Tenth Circuit.

RESOLUTION

On the motion of Chief Judge Charles Clark, the Conference adopted the following resolutions

With deep regret, the Judicial Conference of the United States notes the passing on December 22, 1981, of one of its most stalwart workers, Robert Andrew Ainsworth, Jr.

Prior to his appointment as a judge of the United States District Court for the Eastern District of Louisiana in 1961, he was a member of the Louisiana State Senate from 1950 to 1961. During this time, he also served as the President of the National Legislative Conference, Chairman of the Seard of Managers of the Council of State Governments and a member of the Advisory Commission on Intergovernmental Relations.

On August 31, 1966, Judge Alesworth entered on duty with the United States Court of Appeals for the Pifth Circuit. One year earlier, he began his many years of dedicated service to the Judicial Conference when he was appointed as a member of the Committee to Implement the Criminal Justice Act. Subsequent to that time, he served on six different committees, three of which he chaired. In 1968, Judge Alesworth served as a member of the Committee on Committees, the recommendation of which brought about the present committee structure of the Conference. He was appointed a member of the Committee on Court Administration in 1969 and served as its chairman from 1971 to 1977. At the

time of his death, he chaired the Ad Hoe Committee on Judicial Review Provisions in Regulatory Reform Legislation, as well as the Advisory Committee on Appellate Rules and he was a member of the recently constituted Committee on the Judicial Branch.

As Chairman of the Court Administration Committee he testified before committees of Congress on numerous occasions. In his usual color messner, he demonstrated to all his dedication to the law and its practical administration. During the more than sixteen years of service on various Conference committees, his investige of the law and the judiciary, his common sense, his persuasive influence, and his countant good humor have done much to shape and guide the business of the Foderal Courts.

The Conference extends its despest sympathy to his devoted wife Elisabeth and their children and requests that a copy of this resolution he sent to his family.

RELEASE OF CONFERENCE ACTION

The Conference authorized the immediate release of matters considered at this session where necessary for legislative or administrative action.

Warren E. Burger Chief Justice of the United States

May 17, 1902

REPORT of the PROCEEDINGS OF THE JUDICIAL CONFERENCE OF THE UNITED STATES

September 22 and 23, 1982

Washington, D.C. 1982

OF THE UNITED STATES

September 23-53, 1982

The Judicial Conference of the United States convened on September 22, 1982, pursuant to the call of the Chief Justice of the United States, issued under 28 U.S.C. 331, and continued in session on September 23rd. The Chief Justice presided and the following members of the Conference were present:

First Circuits

Chief Judge Prank M. Coffin Judge W. Arthur Garrity, Jr., District of Massachusetts

Second Circuit:

Chief Judge Wilfred Feinberg Chief Judge Constance B. Motley, Southern District of New York

Third Circuit:

Chief Judge Collins J. Seitz Chief Judge Gerald J. Weber, Western District of Pennsylvania

Fourth Circuit:

Chief Judge Harrison L. Winter Judge Robert R. Merhige, Jr., Eastern District of Virginia

Fifth Circuit:

Chief Judge Charles Clark
Chief Judge John V. Singleton, Jr., Southern District of
Texas

Sixth Circuits

Chief Judge George C. Edwards, Jr. Chief Judge Frank J. Battisti, Northern District of Ohio

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Seventh Circuit:

Chief Judge Walter J. Cummings Chief Judge John W. Reynolds, Eastern District of Wisconsin

Eighth Circuits

Chief Judge Donald P. Ley Judge Albert G. Schatz, District of Nebraska

Minth Circuit:

Chief Judge James R. Browning Judge Manuel L. Real, Central District of California

Tenth Circuit:

Chief Judge Oliver Seth Chief Judge Luther B. Eubanks, Western District of Oklahoma

Eleventh Circuit:

Chief Judge John C. Godbold Judge William C. O'Kelley, Northern District of Georgia

District of Columbia:

Chief Judge Spottswood W. Robinson, III Chief Judge Aubrey E. Robinson, Jr., District of Columbia

Court of Claims:

Chief Judge Daniel M. Friedman

Court of Customs and Patent Appeals:

Chief Judge Howard T. Markey

Circuit Judges Irving R. Kaufman, Anthony M. Kennedy, Otto R. Skopil Jr., Edward A. Tamm, and Gerald B. Tjoflat; Senior Circuit Judges Clement F. Haynsworth, Jr. and Carl McGowan; Senior District Judges Elmo B. Hunter and Thomas J. MacBride; and District Judges T. Emmet Clarie, Robert E. DeMascio, Edward T. Gignoux and Alexander Harvey II, attended all or some of the sessions of the Conference.

The Deputy Attorney General of the United States, Honorable Edward C. Schmults, and the Solicitor General of the United States, Honorable Rex E. Lee, addressed the Conference briefly on matters of mutual interest to the Department of Justice and the Conference.

William E. Poley, Director of the Administrative Office of the United States Courts; Joseph F. Spaniol, Jr., Deputy Director; James E. Macklin, Assistant Director; William J. Weller, Legislative Affairs Officer; Michael J. Remirgton, Deputy Legislative Affairs Officer; Deborah H. Kirk, Chief, Office of Management Review; and Charles W. Nihan, Deputy Director of the Federal Judicial Center, attended sessions of the Conference. Mark W. Cannon, Administrative Assistant to the Chief Justice, and John Yoder of the Supreme Court staff, attended sessions of the Conference. The Director of the Federal Judicial Center, A. Leo Levin, presented the Center's Annual Report.

OF THE ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

The Director of the Administrative Office of the United States Courts, William E. Foley, submitted to the Conference the Annual Report of the Director for the year ended June 30, 1982. The Conference authorized the Director to release the Annual Report immediately in preliminary form and to revise and supplement the final printed edition.

Separate reports on payments under the Equal Access to Justice Act and on the operation of equal employment opportunity plans in the courts, filed by the Director, were also received by the Conference and authorized to be released.

JUDICIAL BUSINESS OF THE COURTS

Mr. Poley reported that appeals docketed in the United States courts of appeals during the year ended June 30, 1982 increased 6 percent to a record 27,947 appeals filed. During the year the courts of appeals terminated 27,984 appeals, an increase of 11.5 percent over the previous year and 38 appeals more than the number filed. As a result, the number of appeals pending on June 30, 1982 declined for the first time since 1958 to 21,510 pending appeals.

Civil cases filed in the United States district courts during the year ended June 30, 1982 were 206,193, an increase of 14.2 percent over the 180,576 civil cases filed during the previous year. There were 189,473 civil cases terminated, 6.5 percent more than the previous year, and the pending civil caseload increased 8.9 percent to a record 205,434 cases as of June 30, 1982.

Criminal cases filed in the district courts in 1982 climbed to 32,682, an increase of 4.5 percent over 1981. There were 31,889 criminal cases closed during the year, and on June 30, 1982 there were 16,659 criminal cases pending, an increase of 5.1 percent. During the year prosecutions for marijuana drug violations increased 39.9 percent and all other drug related cases increased 11.5 percent. Prosecutions under laws relating to weapons and firearms continued to increase during the year, rising 36.2 percent. Prosecutions for forgery and counterfeiting also rose substantially increasing 17.6 percent, while auto theft prosecutions increased 21.9 percent.

During the year ended June 30, 1982 there were 387,886 bankruptcy cases, representing 527,342 separate estates, filed in the United States bankrupcy courts. An additional 469 estates in cases originally filed under the Bankruptcy Act prior to October 1, 1979 were reopened. The bankruptcy courts thus received 527,811 new bankruptcy cases during the year, an increase of 1.7 percent. This is a leveling off in the filing of bankruptcy estates from the increase of 43.8 percent in 1981 and 59.4 percent in 1980. There were 412,852 bankruptcy estates closed during the year, an increase of 28.3 percent over the previous year, but almost 215,000 estates less than the number filed. As a result the number of estates pending on the dockets of the bankruptcy courts on June 30, 1982 increased 18.6 percent to a record 723,871.

JUDICIAL PANEL ON MULTIDESTRICT LITIGATION

A written statement filed with the Conference by the Judicial Panel on Multidistrict Litigation indicated that during the year ended June 30, 1982 the Panel had acted on 683 civil actions pursuant to 28 U.S.C. 1407. Of that number, 454 actions were centralized for consolidated pretrial proceedings with 229 actions already pending in the various transferse districts at the time of transfer. The Panel denied transfer of 155 civil actions.

Since its creation in 1968 the Panel has transferred 11,094 civil actions for centralized pretrial proceedings in carrying out its responsibilities. As of June 30, 1982, approximately 8,814 cases had been remanded for trial, reassigned within the transferee district, or terminated in the transferee court. On June 30, 1982 there were 2,280 transferred civil actions being processed by transferee judges.

COMMITTEE ON THE JUDICIAL BRANCH

Judge Irving R. Kaufman, Chairman of the Committee on the Judicial Branch, submitted the Committee's report.

JUDICIAL SALARY CONTROL ACT OF 1981

S. 1847, 97th Congress, is a bill to prohibit any future increases in salaries of Federal judges absent an affirmative record vote in both Houses of Congress, and to require an annual review by both Houses of Congress of all standing substantive program authorizations for judicial branch activities. The Conference in March 1982 (Conf. Rept. p. 5) recognized the ultimate final authority of Congress to set judicial salaries, but expressed its preference for the draft legislation to create a biennial commission on judicial salaries previously approved by the Conference. The Conference further agreed that the bill's objectives with respect to annual program authorizations are unnecessary and unwise.

Judge Kaufman stated that the Committee had again reviewed this proposed legislation and concluded that the Judicial Conference should renew its opposition to the passage of S. 1847 or any successor legislation. Upon the recommendation of the Committee the Conference adopted the following resolution:

Resolved, that the Judicial Conference of the United States opposes the passage of S. 1847 or of any bill replacing or resembling it, or

providing for annual program oversight of judicial operations.

COMMISSION ON THE BICENTENNIAL OF THE CONSTITUTION

Judge Kaufman stated that the Committee had unanimously endorsed pending legislation, S. 2671, 97th Congress, which would establish a Commission on the Bicentennial of the Constitution to promote and coordinate activities to commemorate the wisdom and endurance of that document. The Committee noted that the bill would provide for the appointment of Commission members by the President from lists of nominees submitted by the Speaker of the House, the President Pro Tempore of the Senate and the Chief Justice of the United States. The Conference agreed that a Bicentennial Commission with appointments made in cooperation with all three separate branches of the Government will enable the Nation to celebrate the bicentennial appropriately and voted to approve the legislation.

The Conference authorized the release of the Committee's report to all Federal judges.

COMMITTEE ON COURT ADMINISTRATION

Judge Elmo B. Hunter, Chairman of the Committee on Court Administration, presented the report of the Committee.

ADDITIONAL JUDGESHIPS

Judge Hunter informed the Conference that the Committee had reviewed the results of the 1982 biennial survey conducted by the Subcommittee on Judicial Statistics and had voted to recommend the creation of additional judgeships in the United States courts of appeals and in the United States district courts. Since the Congress has not as yet acted on the Conference recommendations for additional judgeships resulting from the 1980 biennial survey, the Committee's recommendations include those previously made by the Conference.

Upon the recommendation of the Committee, the Conference recommended the creation of additional judgeship positions in the United States courts of appeals as follows:

District of Col	ni	ı		C	ir	•	u	it									1
Pirst Circuit .																	1
Second Circuit			0 0														2
Third Circuit .		0 6															1
Fourth Circuit																	1
Sixth Circuit .																	4
Seventh Circuit																	1
Eighth Circuit																	1
Ninth Circuit .																	5
Tenth Circuit .																•	<u> </u>
TOTAL																2	2

Upon the recommendation of the Committee the Conference also recommended the creation of additional permanent and temporary judgeships in the following United States district courts, including the conversion of certain temporary judgeship positions to permanent status:

First Circuits

Massachusetts						1	1	temporary
Rhode Island .						1		

Second Circuits

Connecticu	d				1	
New York,						
New York,	Eastern .				2	
New York,	Western.				1	temporary

Third Circuits

New	Jersey									1	3
		-	-	-	-		•		•	- 1	

Fourth Circuit:

Maryland					1	1	
Eastern Virginia Eastern					1 temporary	1	temporary

Pifth Circuit:

Louisiana, Western	1
Horthern	1
Southern	
Toxas, Eastern	3
Tomas, Western	

Sixth Circuit:

Kentucky, Western	
Michigan, Eastern	-
Ohio, Morthern	1 temporary + t/p*
Ternomoo, Eastern	1
Tornesse, Western	1

Seventh Circuits

Milnois,					
Horthern					3 + 1 temperary
Minois, Southern					
Indiana.		_		_	
Horthern					1 temporary

Eighth Circuits

Arkenses,								
Western .								1 tempor
Minnesota								
Missouri, S	-							1

Hinth Circuit:

Aleska	-		-				-			-					
California															
Hewell.	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Montana															1
Western															1+1 temperary

[&]quot;Existing temporary position to be converted to permanent.

Tenth Circuit:

Oklahoma		k	Ů,	н	-					1
Wyoming										1

Eleventh Circuit:

Alabame, Southern					1
Florida, Southern .					3
Georgia, Middle					1

Total	43 + 8 temps.			
	permanent			

The Conference also authorized the Committee to consider further the need for additional judgeship positions in the Court of Appeals for the Fifth Circuit, and any emergency requests from individual courts and to report thereon at the next session of the Conference.

UNITED STATES IMMIGRATION COURT

H.R. 5649 and H.R. 5771, 97th Congress, are identical bills to amend the Immigration and Nationality Act to create an Article I United States Immigration Court within the Executive Branch consisting of 50 trial judges, including the chief judge, and seven appellate judges all of whom are to be appointed by the President by and with the advice and consent of the Senate to serve for terms of 15 years and to receive the same salaries as circuit and district judges.

Jurisdiction would be exclusive in the trial division of the court relative to the determination of (a) exclusion cases, (b) deportation cases, and (c) rescission of adjustment of status cases. In addition, the trial division would determine all applications for discretionary relief property raised in the proceedings, including those relating to bond, parole, habeas corpus, or detention of an alien in such proceedings. The powers of the district courts to issue writs of habeas corpus and extraordinary writs, and to order injunctive and declaratory relief, would be removed from these courts and made exclusive in the Immigration Court. The appellate division of the court would hear and determine appeals from (a) final decisions of asylum officers, (b) final adjudicatory decisions of service concerning (1) administrative fines and penalties, (2) petitions for classification, (3) petitions to classify an alien as an orphan, (4) applications for the exercise of discretionary authority, and (5) final decisions of the judges of the trial division. Decisions of the appellate division would be reviewable by the United States Supreme Court (1) by appeal from a decision holding an Act of Congress unconstitutional, and (2) by writ of certiorari granted upon a petition in a case which did not originate before an asylum officer.

Although expressing concern over the constitutionality of several provisions in the bills, the Committee recommended that the Conference take no position on the merits of the legislation. If, however, the Congress determines that there is a need for a separate Immigration and Maturalization Court, then the Committee recommended that the Conference take a position consistent with its previously enunciated recommendations on the creation of a Social Security Court, or a Court of Veterans Appeals, under Article I of the Constitutions that is, that the court be created within the Executive Branch of Government, that appeals from decisions of the court not be mandatorily directed to the Supreme Court but handled in the same manner as appeals from the Tax Court (to the appropriate court of appeals), and that judicial review by the Article III courts be limited to the review of constitutional issues and questions of statutory interpretation. This recommendation was approved by the Conference.

SOCIAL SECURITY COURT

H.R. 3865 and H.R. 5700, 97th Congress, would create an Executive Branch Social Security Court under Article I of the Constitution to serve as * judicial forum to review (1) all decisions rendered under the old-age, survivors, and disability insurance programs, and (2) all final determinations under the applemental security income program. The bills differ only in that H.R. 3865 would create an intermediate review board to affirm, reverse, remand, or modify an administrative law judge's decision before it becomes the final decision of the Secretary.

The Committee recommended that the Conference reaffirm its previous recommendation (Corf. Rept. Sept. 1981, p. 67) that factual determinations be made final in the Article I tribunal and that judicial review in Article III courts be restricted to issues of constitutionality or statutory interpretation only. Further, appellate review should be provided in the same manner as appeals from the Tax Court; that is, to the appropriate United States court of appeals rather than the Court of Appeals for the District of Columbia Circuit only.

JUDICIAL REVIEW OF THE DENIAL OF VETERANS CLAIMS

S. 349, 97th Congress, is a bill to provide for the judicial review of denials of veterans claims. The bill would establish procedures within the Veterans Administration for the adjudication of veterans claims, require the Veterans Administration to conform to the rule-making procedures of Sec. 353 of the Administrative Procedure Act and provide for the judicial review of final decisions of the Board of Veterans Appeals in the district courts.

The Conference in March 1963 (Conf. Rept. p. 18) disapproved legislation to provide for the review of decisions of the Administrator of Veterans Affairs in the district courts and recommended that jurisdiction be vested in a special Executive Branch court of appeals. This position was reaffirmed by the Conference in March 1978 (Conf. Rept. p. 9). Because of the constantly growing caseloads of the district courts and in the belief that it was not practical or desirable to impose additional case filings involving veterans appeals on these courts, the Conference in September 1981 (Conf. Rept. p. 65) voted to recommend that the review of veterans claims be conferred exclusively upon the Board of Veterans Appeals or upon a new Executive Branch Article I court, noting that the appellate review of the decisions of the Board of Veterans Appeals, or a new Executive Branch court, by the district courts, courts of appeals and Supreme Court, is most undesirable in view of the potential inpact on the caseloads of these courts. In September 1981 the Conference also noted that if judicial review were deemed to be appropriate, it should be limited to the review of constitutional issues and questions of statutory interpretation,

At the suggestion of the Committee the Conference voted to renew its recommendation to the Congress that any initial review of a decision by the Veterans Administration denying a veteran's claim be made by the Board of Veterans Appeals or a new Executive Branch Court of Veterans Appeals and that any appellate review thereafter by district courts be limited to constitutional issues and questions of statutory interpretation.

CONTRIBUTION AND CLAIMS REDUCTION IN ANTITRUST CASES

H.R. 1242, H.R. 4072, H.R. 5794, and S. 995, 97th Congress, would all create rights of contribution and claims reduction in private civil antitrust cases. The Chairman of the House Committee on the Judiciary had requested Conference views and assistance on the issue of "whether these proposals would substantially add to the complexity and burden of private antitrust litigation".

Upon the recommendation of the Committee, the Conference voted to take no position on the wisdom or propriety of adopting legislation adding principles of contribution and claims reduction to antitrust law. The Conference, however, voted to report to the Chairman of the Committee: (1) that contribution, as contemplated in H.R. 1242, H.R. 4072 and H.R. 5794, may substantially add to the complexity and burden of managing private antitrust litigation by enabling defendants to add new claims and parties, thereby noticably lengthening the time between filing and disposition of antitrust actions; (2) that antitrust actions with contribution, including multi-party class actions, will be manageable, but will require a vigorous and careful attention by trial judges and will materially add to the quantity of time to be devoted to such cases; (3) that contribution may complicate the settlement process, thereby expanding the time judges must spend on it, and will likely reduce the settlement incentives, thereby tending to lower the probability of settlement to an appreciable but not otherwise predictable degree; (4) that a time limitation for bringing claims of contribution would be of genuine assistance in bringing them to a conclusion, if contribution is adopted; and (5) that claim reduction does not seemingly involve unmanageable impact or burdens.

CONGRESSIONAL REDISTRICTING

H.R. 5529, 97th Congress, is a bill to impose certain objective requirements on State legislatures and Federal courts with respect to the establishment of congressional districts on the basis of the most recent dicennial census, and for other purposes. The bill would require that congressional districts (1) be drawn with regard to natural geographic barriers; (2) to the extent consistent with geography coincide with the boundaries of local political subdivisions; (3) to the extent consistent with the first two standards, be compact in form; (4) specify that a 2 percent variation from absolute numerical equality would be "reasonable"; (5) prohibit political gerrymandering; and (6) prohibit the drawing of boundaries that would deny effective voting representation to any minority group. Any civil action to determine "substantial compliance" with these guidelines would be required to be heard by a three-judge court.

The Conference in September 1961 (Conf. Rept. p. 80) considered similar legislation and took the view that " the grant of jurisdiction to the district courts proposed by the bill involves a question of public policy for Congress to determine" and voted to take no action on the bill. In September 1963 the Conference considered bills that would provide that congressional districts be composed of contiguous and compact territory and voted to take no action on these bills "since they are matters for congressional policy rather than for judiciary consideration" (Conf. Rept. p. 70).

Since H.R. 5529 more clearly involves an issue of policy than the bills previously considered by the Conference, the Committee recommended that the Conference take no position with respect to the proposals contained in this bill. This recommendation was approved by the Conference.

REVIEW OF DECISIONS OF THE EMPLOYEES' COMPENSATION APPEALS BOARD

S. 2296, 97th Congress, is a bill to provide district court jurisdiction to review decisions of the Department of Labor Employees' Compensation Appeals Board. Specifically, the bill would add a Section 1367 to Title 28, United States Code, to provide that "district courts shall have jurisdiction of any civil action to enforce, in whole or in part, any order of the Employees' Compensation Appeals Board, established pursuant

to Sec. 8149 of Title 5, United States Code, and to enjoin or suspend, in whole or in part, any decision or order of such Board."

Judge Hunter reported that the Committee had been unable to obtain any information with respect to the need for this legislation and the problem to which it is addressed and its potential impact upon the courts and determined not to take any position until completion of a Congressional study of its need and impact.

JUDICIAL RESTRAINT ACT

H.R. 5181, 97th Congress, would prohibit any Federal court from making any decision, entering any judgment, or issuing any order "which, or the effect of which, would require funds to be expended from the United States Treasury or from the treasury of any State for a specific purpose unless the Congress, or the legislature of such State, as the case may be, has adopted legislation authorizing and appropriating funds to be expended for such purpose." A violation would make a justice or judge of the United States subject to impeachment.

It was the view of the Committee that H.R. 5181 is of dubious constitutionality to the extent that it would limit the powers of the Federal courts to fashion remedies for violations of the Constitution and Federal laws, and in any event would raise future policy problems for both the Legislative and Judicial Branches of the Federal Government. Upon the recommendation of the Committee the Conference disapproved the bill.

JURISDICTION OF BANKRUPTCY COURTS

H.R. 6109 and H.R. 6978, 97th Congress, are bills to amend the Bankruptcy Act of 1978 to provide that bankruptcy courts would be established as independent courts of general jurisdiction under Article III of the Constitution parallel to the United States district courts. Both bills were introduced as proposed remedies to problems arising from provisions in the Bankruptcy Act of 1978 which were examined by the Supreme Court in Northern Pipeline Construction Co. v. Marathon Pipeline Co., __U.S. __(June 28, 1982).

Judge Hunter stated that the Executive Committee of the Conference had met to consider these bills and had voted to recommend in lieu thereof legislation to continue bankruptcy courts under Article I of the Constitution but to give to the district courts jurisdiction over proceedings required to be heard in Article III courts. The legislation recommended by the Executive Committee was subsequently embodied in H.R. 7132, 97th Congress. The Conference thereupon ratified the action taken by the Executive Committee, recommended enactment of H.R. 7132, and recommended that H.R. 6109 and H.R. 6978 not be enacted.

VENUE IN COURTS OF APPEALS AND DISTRICT COURTS

S. 2419, 97th Congress, is a bill to amend Title 23, United States Code, regarding venue and for other purposes. The bill is similar to various bills introduced in the 96th Congress and previously considered by the Conference at its session in March 1989 (Conf. Rept. p. 11).

The first section of the bill incorporates a procedure for random selection when proceedings challenging agency action have been instituted in two or more circuits within five days of each other, a proposal previously approved by the Conference. It also has a provision requiring any court of appeals in which a proceeding with respect to agency action is pending to transfer the proceeding to the court for a circuit "in which the action under review would have a substantially greater impact, unless the interest of justice required" the court to retain the proceeding or to transfer it to a circuit other than one in which the impact would be substantially greater.

Sec. 2 would require the Administrative Office to administer this system of random selection.

Sec. 3 would amend the venue statute in actions against Federal officers and agencies by providing that venue in the district where a defendant or plaintiff resides is proper only if "the agency action or failure to act that is the subject of the lawsuit would substantially affect the residents of that judicial district" and by providing that a cause of action shall be deemed to have arisen for purposes of 28 U.S.C. 1391(e)(2) in the district or districts in which the residents would be substantially affected by the action or failure to act. This section also provides that if an action of a local environmental nature is filed in the District of Columbia, the plaintiff is

required to send a copy of the complaint to the Attorney General of each state affected by the action.

Finally, Sec. 4 of the bill would amend 28 U.S.C. 1404(a) to require district courts to transfer actions against the United States or Federal agencies or officers to a district in which the action would have a substantially greater impact, unless the interest of justice required the court to retain the action or transfer it somewhere else.

Prior bills have contained several different approaches to a solution of the perceived problem. Some have dealt with all cases involving the Federal government, whether they involved environmental issues or other issues, while other bills have spoken only to environmental cases, but included private litigation as well as governmental litigation. Some of the bills placed limitations on where a suit might be brought, while others contained a transfer provision. S. 2419 is an amalgam of these various ideas. The notice provision contained in Sec. 3 of the bill deals only with cases of a "local environmental nature", while the amendments to Sections 1391(e) and 1404(a) would reach all actions to which Federal agencies or officers are parties, and the amendment to Sec. 2112 would apply to all proceedings in courts of appeals for review of agency action. The amendment of Sec. 1391(e) is a limitation on venue while the amendments of Sections 1404(a) and 2112 are transfer provisions.

The Conference had previously taken the position that although considerations of venue in particular types of cases are matters of policy for congressional determination, a more narrowly drawn bill is preferable since it is not possible to determine the effect of a broad amendment to the venue statute.

Upon the recomendation of the Committee, the Conference voted (1) to reaffirm its position that considerations of venue in particular types of cases are matters of policy for Congress to decide; (2) to reaffirm its position that it is not possible to determine the effect of a broad amendment to the venue statute and thus question, on that ground, so much of S. 2419 as would amend 28 U.S.C. 1391(e) in all suits against Federal agencies and officers; and (3) to ask Congress to consider (a) whether the problem to which the legislation is addressed is really so common and so serious as to justify the expense and inconvenience of

administering a new venue provision, and (b) the possibility that the legislation would impose on litigants and the courts the essentially wasteful burden of an extensive trial to determine the appropriate place of trial.

NATIONAL COURT OF APPEALS AND INTERCIRCUIT TRIBUNAL OF THE UNITED STATES COURTS OF APPEALS

S. 2035, 97th Congress, is a bill to establish a National Court of Appeals and for other purposes. The bill is similar to S. 1529, 97th Congress, except that it provides for a position of "Chancellor of the United States appointed by the Chief Justice from amongst judges on active duty as members of a United States Circuit Court of Appeals" who would, in turn, establish a pool of judges to serve on the National Court of Appeals. The Conference in March 1982 (Conf. Rept. p. 18) voted to take no position on whether a new court or tribunal should be created at this time, but asked the Committee to conduct a further study. The Committee recommended that the Conference express no position on whether a new court or tribunal should be created but that, if legislation is to be enacted, a proposal containing a sunset provision, such as the pending intercircuit tribunal proposal (H.R. 4762, 97th Congress), would be preferable to the creation of a National Court of Appeals at this time. This recommendation was approved by the Conference.

NATIONAL JUDICIAL STUDY COMMISSION

The Conference in March 1982 (Conf. Rept. p. 20), authorized the Committee to consider further the proposals to create commissions to study the juris-fiction of State and Federal courts, set out in S. 675 and S. 1530, 97th Congress, because of the multiplicity of issues presented by several aspects of the bills. It was the view of the Committee that the creation of a Commission to study the jurisdiction of State and Federal courts on a long range basis is desirable, but that its creation should not interfere with the enactment of jurisdictional changes, such as the abolition of diversity of citize ship jurisdiction, which have already been thoroughly studied and recommended by the Conference, and further that two study commissions should not be created.

Upon the recommendation of the Committee, the Conference reaffirmed its approval of the creation of a temporary study commission, as provided in S. 675, and approved the concept of a study group on the future of the judiciary, but expressly recommended that no permanent commission be created.

TECHNICAL AMENDMENTS TO TITLE 28, UNITED STATES CODE, SECTION 1364

Judge Hunter informed the Conference that title 28, United States Code, now contains three subsections all having the same designated Sec. 1364. The Conference thereupon voted to call this situation to the attention of the Congress and recommend that it be corrected by numbering the sections consecutively and by making necessary conforming changes in the table of sections and in cross-referencing.

RESIDENCES OF CLERKS OF COURT

H.R. 78, 97th Congress, would amend 28 U.S.C. 751(e) to permit any district or bankruptcy court clerk to reside either "in the district for which he was appointed, or within 20 miles of his official station." At present, only the clerks of the district courts for the District of Columbia and the Southern District of New York may avail themselves of the 20 mile exception. There is no restriction on the residences of clerks of the courts of appeals.

The Committee could see no reason to limit the place of residence of clerks of court, particularly in these days of rapid transportation and communication. The Conference thereupon voted to advise the Chairman of the House Judiciary Committee, who had requested Conference views, that the Conference approves the legislation.

PLACES OF HOLDING COURT

H.R. 5526, 97th Congress, is a bill to transfer four counties from one division of the Northern District of Georgia to another division in the same district. The judges of the district court recommended approval of the bill, but the Judicial Council of the Eleventh Circuit recommended the transfer of all counties except Cherokee County. Upon the

recommendation of the Committee the Conference concurred with the action of the circuit council.

WAIVER OF OVERPAYMENTS

Sec. 5584 of Title 5, United States Code, authorizes the Comptroller General or the heads of Executive prencies to waive certain claims against employees arising out of erroneous overpayments. There is no similar waiver power with regard to overpayments to employees of the Judiciary. To remedy this situation the Judicial Conference approved the proposed legislation submitted by the Committee and authorized its transmission to the Congress with a recommendation that it be enacted into law.

COURT INTERPRETERS ACT

The Court Interpreters Act requires the Director of the Administrative Office to "prescribe, determine, and certify the qualifications of persons who may serve as qualified interpreters." 28 U.S.C. 1827(b). Since June 1979 the Administrative Office has been conducting certification examinations and the Director has been certifying persons to interpret in the Spanish language. In the last year the district courts have used interpreters for 26 separate languages. Next to Spanish, the highest use in 1/81 was for Haitian Creole interpreters for about 200 appearances. The number of appearances for other languages did not exceed three or four during the year.

It was the view of the Committee that the Court Interpreters Ac: should be amended to give the Director the discretion to limit the languages for which he will establish certification programs. The only uniform way to certify a person's ability to interest is by a skills' performance test. These tests are expensive to develop and for some exotic languages there may not be enough experts to develop them, nor sufficient candidates to make an examination worthwhile. To accomplish this change the Committee submitted proposed amendments to Sections 1827(b), (d), and (i) of Title 28, United States Code, which the Conference approved for transmission to the Congress.

TRAVEL REGULATIONS FOR JUSTICES AND JUDGES

The Federal Courts Irrorovement Act of 1982, P. L. 97-164, amended 28 U.S.C. 456 ... authorize the Director, subject to regulations approved by the Conference, to reimburse a judge for "actual and necessary expenses of subsistence actually incurred" while the judge is "attending court or transacting official business under an assignment authorized under chapter 13 of this title which exceeds in duration a continuous period of thirty calendar days." For the purpose of implementing this amendment, the Committee submitted and the Conference approved the following new subitem (3) to be added to Section D(1)(a) of the Travel Regulations for Justices and Judges.

(3) For extended absence during a continuous period of more than 30 calendar days, while attending court or transacting official business under an essignment away from a judge's official duty station, but within the conterminous United States, as authorized by Chapter 13, Title 28, United States Code, claims for actual expenses of subsistence shall be for such expenses actually incurred, not to exceed a maximum daily expense allowance of \$125. For such extended assignment outside the conterminous United States, the maximum daily subsistence allowance is the authorized per diem prescribed for the area, plus \$83. In those instances where special circumstances warrant, the Director of the Administrative Office may raise these limits upon written request explaining the need for the increase. Claims for reimbursement under this paragraph should be accompanied by a copy of the assignment.

The Committee was authorized to consider further the prospects of amending the statute to authorize reimbursement of the actual expenses of judges whenever they travel on official business.

Judge Hunter also pointed out that the Travel Regulations for Justices and Justices adopted by the Conference in September 1980 (Conf. Rept. p. 67) provided that "a judge may be reimbursed for travel and subsistence

expenses to testify before a congrussional committee on behalf of the judiciary, or at the request of a congrussional committee. No reimbursement may be made for a voluntary appearance before a congrussional committee." The intent of the regulation is to provide reimbursement to those judges who appear before Congruss to present the official position of the Judiciary as established by the Conference or one of its Committees or Subcommittees. It was not intended to provide reimbursement to those judges who represent private groups, such as the American Bar Association, Federal District Court Judges Associations, or the National Conference of Bankruptcy Judges. Since the regulations were unclear in this respect, the Executive Committee of the Conference approved the following amendment to the regulations:

A judicial officer may be reimbursed for travel to testify before a Congressional Committee on behalf of the Judiciary only if he has been designated to do so by the Presiding Officer of the Judicial Conference, a chairman of a Judicial Conference Committee, or the Director of the Administrative Cirice. No reimbursement may be made for appearances before a Congressional Committee or subcomittee if a judicial official is representing a private group or association, or himself, nor may reimbursement be made for appearances in cases in which a judge solicits a Congressional panel or Member to obtain an invitation to testify for purposes of expressing his or her personal opinions. In the latter two instances a judicial official may choose to appear to testify, but reimbursement from funds appropriated for the administration of the judicial branch may not be made.

The Conference thereupon ratified the action taken by the Executive Committee.

LITIGATION EXPENSES OF JUDICIAL OFFICERS

The Federal Courts Improvement Act of 1982 amended 28 U.S.C. 463, effective October 1, 1982, to read as follows:

"Whenever a Chief Justice, justice, judge, officer, or employee of any United States court is sued in

his official capacity, or is otherwise required to defend acts taken or ommissions made in his official capacity, and the services of an attorney for the Government are not reasonably available pursuant to chapter 31 of this title, the Director of the Administrative Office of the United States Courts may pay the costs of his defense. The Director shall prescribe regulations for such payments subject to the approval of the Judicial Conference of the United States."

Judge Hunter submitted to the Conference a set of regulations which had been reviewed and recommended by the Committee. In accordance with the statute the regulations were approved by the Conference.

MISCEL LANEOUS FEES

The Federal Courty Improvement Act of 1982 added a new Sec. 1926 to Title 29, United States Code, authorizing the Judicial Conference to prescribe from time to time the fees and costs to be charged and collected in the United States Claims Court. Upon the recommendation of the Committee the Conference approved the following fee schedule to be effective October 1, 1982:

Fees to be Charged for Services Performed by the Clerk of the United States Claims Court (except that no fees are to be charged for services rendered on behalf of the United States):

- For filing a civil action or proceeding, \$60.00, plus \$1.00 for each additional plaintiff demanding a separate judgment;
- For reproducing any record or paper, \$.50 per page. This fee shall apply to paper copies made from either: (a) original documents; or (b) microfiche or microfilm reproductions of the original records;
- For certifying any document or paper, whether the certification is made directly on the document or by separate instrument, \$2.00;

- For admission of attorneys to practice, \$15.00 each, including a certificate of admission. For a duplicate certificate of admission or certificate of good standing, \$3.00;
- For receipt of a monthly listing of court orders and opinions, \$10.00 per year.

No other fees for miscellaneous services than those prescribed by the Judicial Conference of the United States shall be charged or collected by any clerk of court.

SPACE UTILIZATION SURVEY

Judge Hunter informed the Conference that the Administrative Office had conducted a year-long restudy of the need to retain certain space presently charged to and paid for by the Judiciary. The prior survey resulted in an Administrative Office recommendation for closing facilities in 18 communities. Because either the district court or the circuit council, or both, recommended that facilities be retained at Globe, Arizona; Fort Scott, Kansas; Littleton, New Hampshire; and Miami, Oklahoma, a restudy was deemed necessary.

The Committee reported that the district court in Arizona no longer objected to the release of facilities at Globe and that the Committee had considered and rejected a legal point raised by Judge Devine of the District of New Hampshire that 28 U.S.C. 169 required retention of court facilities at statutorily designated places of holding court. Upon the recommendation of the Committee the Conference authorized the release of space at these four locations.

AUTHORIZATION OF TEMPORARY PERSONNEL FOR JUDGES

In February 1982 the Eirector of the Administrative Office advised judges and other court officers and employees of a projected deficiency in the appropriation for "Salaries of Supportine Personnel" and placed severe restrictions on the employment of personnel in clerk's offices, the probation service and other component offices of the courts. In large measure the projected deficiency was due to an increasing demand for temporary law clerks and secretaries by judges and

an increase in the number of overlapping appointments which were costing approximately \$2.5 million a year. It was the view of the Committee that many of the requests for temporary employment were fully justified, but that the justification for some requests was either marginal or inadequate.

With regard to overlapping appointments of district judges' secretaries it was the Committee's view that a period of orientation and continuity of service is emential and an overlap for a period of two weeks is justified. The turnover of secretaries is minimal and overlapping appointments would not be a burden on the appropriation. With regard to overlapping appointments of law clerks, however, the Committee believes there is little, if any, justification since most judges have two or more law clerks and continuity of zervice, as well as the indoctrination of newly appointed law clerks, could be provided by simply staggering the appointments. Those judges who normally appoint law clerks for a two year term could replace a law clerk annually. Those judges who appoint law clerks for a term of only one year could replace one law clerk in July and the other in September.

The Conference upon the recommendation of the Committee amended Item 6 of the Guidelines for the employment of judges' personal staff, approved by the Conference in September 1979 (Conf. Rept. p. 77) to read as follows:

The Director of the Administrative Office may approve overlapping appointments of secretaries and law clerks of up to two weeks where the temover of personnel would hinder the continuity of staff support for the judges. As a general rule, overlapping appointments shall not be authorized for judges with two or more secretaries or law clerks.

The Committee recommended and the Conference also adopted the following procedures:

The Director of the Administrative Office (subject to the recommendation of the chief judge of the court) may authorize the one-time appointment of a temporary secretary or law clerk for a period not to exceed 10 days on the certification of a judge that

he or she has a judicial emergency. The Director may authorize the appointment of a temporary secretary or law clerk for a period in excess of 90 days on the certification of a judge that he or she has a judicial emergency with the concurrence of the chief judge of the involved court, and with the approval of the circuit council, provided that any appointment in excess of 90 days shall be for no longer than an additional 90 days. Such an appointment may be renewed but for not more than 90 days at a time and by the same process, i.e., certification by the judge that the emergency continues and reapproval by both the chief judge of the court and the circuit council.

On behalf of the Committee Judge Hunter submitted the following statement of policy which was approved by the Conference and authorized to be transmitted to all courts:

The appointment of additional secretaries and law clerks for circuit and district judges on a temporary basis is to be discouraged and authorized only in those situations where there is a serious problem amounting to a judicial emergency and where the additional staff support is essential to the operations of the office. Authorization for all presently existing temporary appointments shall expire on December 31, 1982, unless they sooner lapse in the normal course. No such appointment may thereafter be renewed except pursuant to the procedures and requirements specified appointments for a period in excess of 90 days. Except as provided and justified above, temporary secretaries and law clerks should not be authorized for judges assigned to the Temporary Emergency Court of Appeals, the Judicial Panel on Multi-District Litigation, or for those who are serving on Committees of the Judicial Conference.

COURT REPORTERS

Upon the recommendation of the Committee the Conference approved the retention of an additional court reporter in the Western District of Louisiana on a temporary basis for one year. The Conference also denied a request for

permission to convert a temporary court reporter in the Northern District of California to a second permanent additional position, but authorized the retention of the incumbent on a temporary basis until a vacancy occurs at which time the temporary position will lapse. The Conference approved a temporary court reporter position in the Southern District of Texas with the understanding that the request for an additional permanent court reporter position will be considered at a later date. A request for an additional court reporter in the District of New Jersey was denied.

CHANGES IN AUTHORIZATION AND COMPENSATION OF SUPPORTING CLERICAL STAFF

Judge Hunter stated that the Committee would reconsider a proposal submitted by Judge Walter Cummings to authorize, on a test basis, higher salaries for personnel in a clerk's office which operates with fewer personnel.

COMMITTEE ON THE BUDGET

Judge Charles Clark, Chairman of the Committee on the Budget, submitted the Committee's report.

APPROPRIATIONS FOR THE FISCAL YEAR 1984

The Conference approved the budget estimates for the fiscal year 1984 prepared by the Director of the Administrative Office and submitted by the Committee. The estimates, exclusive of the Supreme Court, the United States Court of Appeals for the Federal Circuit, the Court of International Trade, and the Federal Judicial Center total \$869,670,000, an increase of approximately \$77,903,000 over the amount recommended by the House Appropriations Committee for the fiscal year 1983, adjusted to reflect proposed supplementals for pay costs and program increases. Of this amount, \$39,654,000 is for mandatory or uncontrollable increases such as within grade salary adjustments, promotions, increases in contract rates and charges for equipment, services, and supplies; and the escalation and charges for space rental assessed by the General Services Administration. The proposed increases for program changes which are considered "controllable" total \$38,249,000. The Director was authorized to amend the budget estimates because of new legislation, action taken by the Judicial Conference, or for any other reason the Director and the Budget Committee consider necessary and appropriate.

SUPPORTING PERSONNEL FOR SENIOR JUDGES

Judge Clark advised the Conference that the report of the House Appropriations Subcommittee accompanying the Judiciary Appropriation Bill for the fiscal year 1983 stated that the number of supporting personnel (secretaries and law clerks) authorized for senior judges should be related directly to workload performed and that "the Judicial Councils should not only certify that a senior judge is performing 'substantial judicial duties,' but also should determine the number of supporting positions necessary based on actual workload." Accordingly, the judicial councils of the circuits will be asked to provide this information.

JUDICIAL ETHICS COMMITTEE

Judge Edward A. Tamm, Chairman of the statutory Judicial Ethics Committee, presented the report of the Committee.

ACTIVITIES OF THE COMMITTEE

Judge Tamm informed the Conference that the Committee had received 1,848 financial disclosure reports for the calendar year 1981, including 901 reports from "judicial officers" and 947 reports from "judicial employees". Since January the Committee has also received 29 reports required to be filed by nominees to judgeship positions. All reports submitted to the Committee are being reviewed by at least one Committee member to determine whether they were "filed in a timely manner, are complete and are in proper form," as required by 28 U.S.C.App. 1 306(a).

Judge Tamm informed the Conference that the Committee's volume of correspondence continues to increase. In addition to writing letters to reporting individuals concerning arrors appearing on the face of the form, the Committee is now inquiring about inconsistencies between

current reports and those filed in previous years. The Committee also replies to requests for extensions of time to file, acknowledges receipt of reports filed by judicial nominees and notifies individuals who have failed to file in a timely manner. This year the Committee has written a total of 1,200 letters to reporting individuals, many of which continue to involve minor omissions on the face of the form, such as a failure to check a "None" box. The Committee believes that all items on the form should be completed by each reporting individual.

The Conference was informed that two part-time United States magistrates and one employee in the Court of Claims had not yet filed reports for the calendar year 1981. In the absence of filing the Committee, acting in accordance with the procedures previously adopted by the Committee and reported to the Conference in September 1980 (Conf. Rept. p. 76), will consider a reference to the Attorney General under 28 U.S.C.A. App. 1 304(b).

REPORTING FORM AND INSTRUCTIONS

Judge Tamm stated that the Committee had again reviewed the form and instructions for financial disclosure reporting in the light of recent experience and suggestions received by the Committee. As a result of this review the Committee recommended several changes to clarify reporting requirements. To avoid the recurring problem of the failure of reporting individuals to indicate whether their reports include information with respect to the income and assets of their spouse and dependent children, the Committee decided to eliminate the need to check a box and instead to include on the form a statement that the report includes reportable information for the spouse and dependent children, if any. The option of indicating by symbol the ownership of asrets by spouses and dependent children, or jointly, has also been eliminated. The disclosure form has also been revised to provide a separate place for reporting capital gains.

Upon the recommendation of the Committee the Conference, in accordance with Section 303(c) of the Ethics in Government Act of 1978, approved the revised financial disclosure reporting form and instructions submitted by the Committee.

ADVISORY COMMITTEE ON CODES OF CONDUCT

Chief Judge Howard T. Markey, Chairman of the Advisory Committee on Codes of Conduct, presented the Committee's report.

ACTIVITIES OF THE COMMITTEE

Judge Markey informed the Conference that since its last report the Committee had received 23 inquiries from persons subject to the various codes of conduct and had issued 20 advisory responses. Judge Markey also informed the Conference that the American Bar Association at its August meeting had adopted an amendment to Canon 3A(7) of the Code of Judicial Conduct that would authorize broadcasting, televising, recording and photographing of judicial proceedings in courtrooms and areas immediately adjacent thereto, when approved by a supervising appellate court or other appropriate authority. The American Bar Association also repealed a recent resolution which had urged Congress to bring clubs supported by business within anti-discrimination laws.

APPLICABILITY OF CODES OF CONDUCT

In 1978 the Conference resolved that the Code of Conduct for United States judges be made applicable to the Director of the Administrative Office, the Director of the Federal Judicial Center and the Administrative Assistant to the Chief Justice. Since that time the Conference has approved and promulgated specific codes for particular officers. Incongruities exist in applying a judge's code to those who are not judges. The Committee therefore determined that the present code for Circuit Executives is more appropriate to the activities of the above-named officers. recommendation of the Committee, the Conference resolved that the Code of Conduct for Circuit Executives, rather than the Code of Conduct for judges, be made applicable to the Director of the Administrative Office, Director of the Federal Judicial Center, and the Administrative Assistant to the Chief Justice.

MODEL CODES OF CONDUCT FOR VARIOUS JUDICIAL EMPLOYEES

The Committee noted that the provision of the Codes of Conduct for clerks and deputy clerks, probation officers, staff attorneys, circuit executives, and law clerks with respect to fund-raising activities is more restrictive than a similar provision relating to judges. The Committee therefore recommended that the Codes of Conduct for clerks, probation officers, staff attorneys, circuit executives, and law clerks be revised by deleting therefrom the words "should not participate in fund-raising activities for such an organization or agency" and substituting therefor the words "he may assist such an organization in raising funds and may participate in their management and investment but should not personally participate in public fund-raising activities. He may make recommendations to public and private fund-granting agencies on projects and programs concerning the law, the legal profession, and the administration of justice."

SENIOR JUDGES SERVING AS ARBITRATORS

The Chief Justice was authorized to appoint an ad hoc committee to explore the prospects of authorizing senior judges to serve as arbitrators.

COMMITTEE ON INTERCIRCUIT ASSIGNMENTS

The written report of the Committee on Intercircuit Assignments, submitted by the Chairman, Judge George L. Hart, Jr., was received by the Conference.

The report indicated that during the period February 16, 1982 through August 15, 1982 the Committee recommended 98 assignments to be undertaken by 78 judges. Of this number one was a retired Supreme Court justice, 14 were senior circuit judges, one was an active circuit judge, 26 were senior circuit judges, 29 were active district judges, two were active judges of the Court of Customs and Patent Appeals, three were active judges of the Court of Claims, two were active judges of the Court of International Trade, and one was an active judge of a bankruptcy court.

Forty-seven judges undertook 50 assignments to the courts of appeals and 46 judges undertook 47 assignments to district courts. In addition one active bankruptcy judge was assigned to a bankruptcy court outside his circuit.

COMMITTEE ON RULES OF PRACTICE AND PROCEDURE

Judge Edward T. Gignoux, Chairman of the Committee on Rules of Practice and Procedure, presented the Committee's report.

BANKRUPTCY RULES

The Conference upon the recommendation of the Committee approved a new set of bankruptcy rules to govern procedure in bankruptcy cases under the new Bankruptcy Code, Title 11, United States Code, and authorized transmission to Supreme Court for its consideration recommendation that the new rules be approved by the Court and transmitted to the Congress pursuant to law. Conference also authorized the Committee to transmit directly to the Supreme Court any technical amendments to the rules that may be required by legislation enacted by Congress in response to the Northern Pipeline decision, Finally, the Conference approved the official forms submitted by the Committee which are to go into effect simultaneously with the bankruptcy rules and authorized transmission of these forms to the Supreme Court for its information. Hereafter amendments to the forms will be prescribed by the Judicial Conference pursuant to Rule 9009 of the proposed new bankruptcy rules.

CRIMINAL RULES

Upon the recommendation of the Committee, the Conference approved proposed amendments to Rules 6(e) and (g), 11(a), 12.2(b), (e) and (d), 16(a), 23(b), 32(a), (e) and (d), 35(b), and 55; proposed new Rules 11(h), 12(i) and 12.2(e); and the abrogation of Rule 58, Federal Rules of Criminal Procedure, including all official forms previously adopted under Rule 58, and authorized their transmission to the Supreme Court for its consideration with a recommendation

that they be approved by the Court and transmitted to the Congress pursuant to law.

CIVIL RULES

The Committee submitted to the Conference proposed amendments to Rules 6(b), 7(b), 11, 16, 26(a) and (b), 52(a), 53(a), (b) and (c), and 67 of the Federal Rules of Civil Procedure; new Rules 26(g), 53(f), and 72 through 76; and new Official Forms 33 and 34 and recommended their submission to Court Supreme for its consideration recommendation that they be approved by the Court and transmitted to the Congress pursuant to law. Judge Gignoux explained that these proposals are designed to reduce discovery abuse and the abuse of process, to reform the procedures for the conduct of pretrial conferences and for the scheduling and management of litigation by judges, and to conform the rules to the jurisdictional provisions of the Federal Magistrates Act of 1979.

The Conference reviewed the proposed language of Rule 16(b) providing that a United States magistrate may perform duties under the rule "only when specifically authorized by district court rule" and voted to amend the language to read "when authorized by district court rule." The word "specifically" which appeared at a subsequent place in the rule was also deleted and the Committee was authorized to make necessary changes in the Advisory Committee Note. As thus amended, the recommendations of the Committee were approved by the Conference.

APPELLATE RULES

Judge Gignoux informed the Conference that the Chief Justice had appointed Judge Pierce Lively of the Sixth Circuit to succeed Judge Robert A. Ainsworth, Jr., who died last December, as Chairman of the Advisory Committee on Appellate Rules. Judge Lively recently met with the reporter to the Committee to schedule future Committee work.

STATEMENT OF OPERATING PROCEDURES

Judge Gignoux also informed the Conference that the Committee had approved a Statement of Operating Procedures and would make arrangements to have the statement published in the American Bar Association Journal. A copy of the statement was distributed to the members of the Conference for their information.

COMMITTEE ON THE ADMINISTRATION OF THE PROBATION SYSTEM

Judge Gerald B. Tjoflat, Chairman of the Committee on the Administration of the Probation System, presented the Committee's report.

SENTENCING INSTITUTES

The Conference upon the recommendation of the Committee authorized the convening of a Joint Institute on Sentencing for the judges of the Fourth and Eleventh Circuits to be held at a location near the Federal Correctional Institution at Butner, North Carolina, April 18-20, 1983. A final agenda, modeled after those of recent Sentencing Institutes, will be presented to the Conference for its consideration at its next session.

SENTENCING REFORM

Judge Tioflat reviewed the efforts made in the Congress during the last few years to reform sentencing laws through the creation of a Commission on Sentencing, appellate review of sentences, and the creation of comprehensive statutory sentencing procedures. Judge Tjoflat stated that it was the unanimous view of the Committee that, if it be the will of Congress to adopt significant sentencing revision, legiclation should be favored that will create simple and inexpensive sentencing procedures that will insure finality of sentence while giving full recognition to the due process rights of defendants. Accordingly, the Committee convicted recommended that the Conference continue to authorize the Committee to monitor the progress of sentencing reform proposals and also communicate past Conference positions to the Congress. This recommendation was approved by the Conference.

The Committee was further authorized to draft legislative alternatives to those already proposed by the Congress for further consideration by the Conference. Included among the alternatives would be the concepts that (1) sentences be imposed under guidelines established by a sentencing committee of the Judicial Conference, (2) sentence review in a court of appeals in conjunction with the review of conviction, and (3) parole decisions based solely on post conviction occurrences.

COMMITTEE ON THE ADMINISTRATION OF THE BANKRUPTCY SYSTEM

Judge Robert E. DeMascio, Chairman of the Committee on the Administration of the Bankruptcy System, presented the Committee's report.

SURVEY OF THE NEED FOR BANKRUPTCY JUDGES

Judge DeMascio informed the Conference that pursuant to Sec. 406 of the Bankruptcy Reform Act of 1978 the Director of the Administrative Office had submitted to the Committee a comprehensive report recommending the creation of 299 bankruptcy judgeship positions by April 1, 1984, their regular places of office and additional places of holding court. The Committee reviewed the recommendations of the Director and the recommendations of the judicial councils of the circuits for the creation of 321 bankruptcy judgeships and recommended to the Conference the creation of 300 bankruptcy judgeships.

After full discussion, it was the sense of the Conference that approximately 300 Article I bankruptcy judges would be required in 1984 if the existing bankruptcy court structure is not revised. The Executive Committee of the Conference, upon reconsideration of further recommendations from the Bankruptcy Committee, was authorized to review the variances in recommendations in the light of the discussions in the Conference and, in accordance with the statute, to report its detailed recommendations to the Congress in January 1983 as the recommendations of the Conference.

ARRANGEMENTS FOR BANKRUPTCY JUDGES

The Conference upon the recommendation of the Committee converted seven part-time bankruptcy judge positions to full-time status and changed the regular place of

office of one bankruptcy judge. This action, shown below, is to be effective when appropriated funds are available.

Second Circuit

Eastern District of New York:

 Transferred the headquarters of one of the full-time bankruptcy judges at Westbury from Westbury to Hauppauge.

Vermont:

(1) Changed the bankruptey jo so position at Rutland from part-time to full-time status at the currently authorized statutory salary for a full-time bankruptey judge.

Third Circuit

Delawares

 Changed the bankruptcy judge position at Wilmington from part-time to full-time status at the currently authorized statutory salary for a full-time bankruptcy judge.

Fourth Circuit

Western District of Virginia:

(1) Changed the bankruptcy judge position at Harrisonburg from part-time to full-time status at the currently authorized statutory salary for a fulltime bankruptcy judge.

Fifth Circuit

Eastern District of Texas:

(1) Changed the bankruptcy judge position at Tylor from part-time to full-time status at the currently authorized statutory salary for a full-time ban ruptcy judge.

Northern District of Texas:

 Changed the bankruptcy judge position at Lubilock from part-time to full-time status at the currently authorized statutory salary for a full-time bankruptcy judge.

Seventh Circuit

Western District of Wisconsin:

 Changed the bankruptcy judge position at Eau Claire from part-time to full-time status at the currently authorized statutory salary for a full-time bankruptcy judge.

Tenth Circuit

New Mexico:

 Changed the bankruptcy judge position at Albuquerque from part-time to full-time status at the currently authorized statutory salary for a fulltime bankruptcy judge.

GUIDELINES FOR CHAPTER 13 ADMINISTRATION

Judge DeMascio reported that the Committee had been concerned over the excessive accummulation of funds by some Chapter XIII trustees in cases administered under the old Bankruptcy Act which are to be used to pay the compensation and expenses of trustees. These funds may not be used to pay the costs of administering cases under the new Bankruptcy Code. It was the view of the Committee that these accounts should be liquidated. Because of the impracticality of locating the debtors in each case from which the excess deductions were made the Committee proposed the following guideline which was approved by the Conference:

It is the sense of the Conference that the bankruptcy courts shall direct the standing trustees for Chapter XIII cases to deposit in the bankruptcy court registry all funds attributable to Bankruptcy Act cases held for compensation and expense reimbursement over and above the actual allowable

compensation and expenses for such cases for the current accounting year and that these funds ultimately be transferred to the United States Treasury where they will be subject to the claims of the owners.

Judge DeMascio stated that the Committee would give further consideration to a proposal to restrict the acquisition of computer hardware by trustees in Chapter 13 cases.

JURISDICTIONAL CONFLICTS

Judge DeMascio submitted to the Conference a proposed local rule for adoption by the various district courts which is designed to permit a continuation of the processing of bankruptcy cases in the event the Congress fails to enact legislation to remedy defects in the jurisdictional provisions of the Bankruptcy Reform Act of 1978 by October 4, 1982, the date mentioned in the Northern Pipeline case, and the Supreme Court does not extend the date. After a full discussion in which the Chief Justice did not participate, the Conference adopted the following:

Resolved, that the Conference request the Director to provide each circuit with a proposed rule to take effect October 5, 1982 in the absence of congressional action or extension of the stay, which rule will permit the bankruptcy system to continue without disruption in reliance upon jurisdictional grants remaining in the law as limited by Northern Pipeline Construction Co. v. Marathon Pipe Line Co. et al.

BANKRUPTCY APPEALS IN DISTRICT COURTS

Judge DeMascio pointed out that since October 1970 the Administrative Office, under Conference direction, has informed the Judicial Councils of the Circuits of delinquencies in the handling of bankruptcy appeals by district courts by providing regular computer printouts. The Committee recommended that the reporting of this information in its present form be discontinued but that district judges report bankruptcy appeals statistically as cases for the purpose of their reports of cases under advisement and to show

bankruptcy appeals separately in such manner that they can be readily identified. This recommendation was approved by the Conference.

COMMITTEE ON THE ADMINISTRATION OF THE FEDERAL MAGISTRATES SYSTEM

The report of the Committee on the Administration of the Federal Magistrates System was presented by the Chairman, Judge Otto R. Skopil, Jr.

JURISDICTION OF MAGISTRATES

Judge Skopil advised the Conference that bills have recently been introduced in the Congress either to expand or to contract the jurisdiction of the United States magistrates. Some proposals would grant magistrates "original" jurisdiction over selected categories of civil cases and other proposals would restrict or eliminate the authority of magistrates to conduct cerizin types of proceedings.

In its report to Congress in December 1981 the Conference expressed its view that the Federal Magistrates System is appropriate as presently constituted, concluding (1) that there should be no further expansion in magistrates jurisdiction at this time and (2) that there should be no retrenchment in the statutory grants authorized by the Federal Magistrates Act as amended in 1976 and 1979.

Anticipating that additional suggestions to expand or contract the jurisdiction of magistrates will continue to recur in the Congress from time to time, the Committee proposed the following resolution which was approved by the Conference:

Resolved, that it continues to be the position of the Judicial Conference of the United States that the Federal Magistrates System should continue to be an integral part of the district courts, that the jurisdiction of magistrates should remain "open" and should neither be expanded to include "original" jurisdiction in special categories of cases, nor restricted in special types of cases or proceedings. It is, furthermore, the policy of the Judicial

Conference to encourage the full and effective utilization of United States magistrates by the district courts in civil and criminal cases under existing statutory authority and to copose restrictions on the utilization of magistrates by the district courts.

QUALIFICATION STANDARDS AND SELECTION PROCEDURES

The Federal Magistrates Act of 1979 amended 28 U.S.C. 631(b) to require that magistrates at the time of their appointment have at least five years' membership in the bar of the particular state in which the magistrate is to serve. Recently an experienced attorney was found to be disqualified from appointment as a magistrate solely because he had not been a member of the pertinent state bar for five years, although he was currently a member in good standing of that bar and had served with the Department of Justice and been a member of the bar of another state for 16 years.

On August 6, 1982 the President signed Public Law 97-230 amending section 631(b) to permit membership in the bar of any state to satisfy the five-year requirement. The requirement for membership in the particular bar of the state in which the magistrate is to serve was unchanged by the amendment.

Prior to the meeting of the Conference, the Executive Committee implemented the new statute by approving a conforming amendment to section 1.01 of the Regulations of the Judicial Conference of the United States Establishing Standards and Procedures for the Appointment of United States Magistrates. At the request of Judge Skopil, the Conference ratified the action of its Executive Committee.

The amended regulation provides in part as follows:

Sec. 1.01 Minimum Qualifications

To be qualified for appointment as a United States magistrate, nominees must meet the following standards:

- (a) They must be members in good standing of the bar of the highest court of the state in which the person selected is to serve...
- (b) They must have been engaged in the active practice of law for a period of at least five years...

CHANGES IN MAGISTRATE POSITIONS

After consideration of the report of the Committee and the recommendations of the Director of the Administrative Office, the district courts and the judicial councils of the circuits, the Conference approved the following changes in salaries and arrangements for full-time and part-time magistrate positions. Unless otherwise indicated, these changes are to become effective when appropriated funds are available. The salaries of full-time magistrate positions are to be determined in accordance with the salary plan previously adopted by the Conference.

FIRST CIRCUIT

Maine:

(1) Continued the part-time magistrate position at Bangor for an additional four year term at the currently authorized salary of \$2,700 per annum.

Massachusetts:

 Converted the part-time magistrate position at Springfield to a full-time magistrate position.

New Hampshire:

 Converted the combination clerk of court-magistrate position at Concord to a full-time magistrate position.

SECOND CIRCUIT

New York, Eastern:

 Continued the part-time magistrate position at Patchogue for an additional four year term at the currently authorized salary of \$4,500 per annum.

New York, Southern:

 Continued the part-time magistrate position at Poughkeepsie for an additional four year term at the currently authorized salary of \$10,000 per annum.

THIRD CIRCUIT

Pennsylvania, Eastern:

- (1) Continued the full-time magistrate position at Philadelphia which is due to expire on December 10, 1982 for an additional eight year term.
- (2) Continued the part-time magistrate position at Reading for an additional four year term.
- (3) Reduced the salary of the part-time magistrate position at Reading from \$4,590 per annum to \$3,600 per annum.
- (4) Continued the part-time magistrate position at Allentown for an additional four year term at the currently authorized salary of \$3,600 per annum.

Pennsylvania, Middle:

- (1) Continued the part-time magistrate position at Williamsport for an additional four year term at the currently authorized salary of \$3,600 per annum.
- (2) Continued the part-time magistrate position at Stroudsburg for an additional four year term.
- (3) Increased the salary of the part-time magistrate position at Stroudsburg from \$1,800 per annum to \$2,700 per annum.

FOURTH CIRCUIT

North Carolina, Western:

- Converted the combination deputy clerk-magistrate position at Charlotte to a part-time magistrate position at a salary of \$29,250 per annum.
- (2) Authorized the full-time magistrate at Asheville to exercise jurisdiction in the adjoining Eastern District of Tennessee.
- Discontinued the part-time magistrate position at Bryson City.

West Virginia, Northern:

(1) Continued the part-time magistrate position at Martinsburg for an additional four year term at the currently authorized salary of \$900 per annum.

West Virginia, Southern:

 Discontinued the part-time magistrate position at Logan upon the expiration of the current term of office of the incumbent.

FIFTH CIRCUIT

Louisiana, Western:

- Continued the part-time magistrate at Alexandria for an additional four year term.
- (2) Increased the salary of the part-time magistrate position at Alexandria from \$26,750 per annum to \$29,250 per annum.
- (3) Continued the part-time magistrate position at Lake Charles for an additional four year term.
- (4) Reduced the salary of the part-time magistrate position at Lake Charles from \$26,750 to \$17,900 per annum.

- (5) Continued the part-time magistrate position at Monroe for an additional four year term.
- (6) Reduced the salary of the part-time magistrate position at Monroe from \$3,600 per annum to \$1,800 per annum.
- Discontinued the part-time magistrate position at Leesville.

Mississippi, Northern:

 Continued the full-time magistrate position at Greenville for an additional eight year term.

Mississippi, Southern:

- Continued the full-time magistrate position at Biloxi (or Gulfport) for an additional eight year term.
- (2) Continued the full-time magistrate position at Jackson for an additional eight year term.
- (3) Authorized the appointment of an additional fulltime magistrate at Biloxi (or Gulfport or Jackson).

Texas, Northern:

- Continued the authority for the bankruptcy judge at Lubbock to perform the duties of a magistrate for an additional four year period.
- (2) Increased the compensation of the incumbent bankruptcy judge-magistrate at Lubbock from \$26,750 per annum to \$29,250 per annum for the performance of magistrate duties.
- (3) Continued the full-time magistrate position at Fort Worth for an additional eight year term.
- (4) Continued the part-time magistrate position at Amarillo for an additional four year term at the currently authorized salary of \$4,500 per annum.
- (5) Continued the part-time magistrate position at San Angelo for an additional four year term at the currently authorized salary of \$900 per annum.

Texas, Western:

- Continued the part-time magistrate position at Waco for an additional four year term.
- (2) Increased the salary of the part-time magistrate position at Waco from \$26,750 per annum to \$29,250 per annum.
- (3) Continued the part-time magistrate position at Pecos for an additional four year term at the currently authorized salary of \$26,750 per annum.
- (4) Continued the part-time magistrate position at Eagle Pass for an additional four year term.
- (5) Increased the salary of the part-time magistrate position at Eagle Pass from \$17,900 per annum to \$20,300 per annum.
- (6) Continued the part-time magistrate position at Midland (or Odessa) for an additional four year term.
- (7) Decreased the salary of the part-time magistrate position at Midland (or Odessa) from \$15,500 per annum to \$8,200 per annum, effective October 1, 1982.
- (8) Continued the part-time magistrate position at Big Bend National Park for an additional four year term at the currently authorized salary of \$11,800 per annum.

SIXTH CIRCUIT

Kentucky, Western:

- Continued the part-time magistrate position at Hopkinsville for an additional four year term.
- (2) Increased the salary of the part-time magistrate position at Hopkinsville from \$26,750 per annum to \$29,250 per annum.
- (3) Continued the part-time magistrate position at Bowling Green for an additional four year term.

- (4) Reduced the salary of the part-time magistrate position at Bowling Green from \$4,500 per annum to \$3,600 per annum.
- (5) Continued the part-time magistrate position at Owensboro for an additional four year term at the currently authorized salary of \$3,600 per annum.
- (6) Continued the authority for the deputy clerk at Louisville to perform the duties of a magistrate for an additional four-year term without additional compensation.

Michigan, Eastern:

- Authorized a sixth full-time magistrate position at Detroit.
- (2) Increased the compensation of the bankruptcy judge at Bay City for the performance of magistrate duties from \$26,750 per annum to \$29,250 per annum.
- (3) Authorized the appointment of a part-time magistrate at Bay City at a salary of \$29,250 per annum in lieu of the combination bankruptcy judgemagistrate position at that location at such time as the court deems appropriate.

Ohio, Southern:

- Continued the part-time magistrate position at Portsmouth for an additional four year term at the currently authorized salary of \$900 per annum.
- (2) Continued the part-time magistrate position at Steubenville for an additional four year term at the currently authorized salary of \$900 per annum.
- (3) Discontinued the part-time magistrate position at Zanesville upon the expiration of the current term of office of the incumbent.

Tennessee, Eastern:

- Established a new part-time magistrate position at Gatlinburg (or Sevierville) at a salary of \$6,400 per annum.
- (2) Authorized the part-time sirate at Gatlinburg (or Sevierville) to serve in the adjoining Western District of North Carolina.
- (3) Continued the part-time magistrate position at Greeneville for an additional four year term.
- (4) Reduced the salary of the part-time magistrate position at Greeneville from \$4,500 per annum to \$2,700 per annum.
- (5) Discontinued the part-time magistrate position at Winchester upon the expiration of the current term of the incumbent.

SEVENTH CIRCUIT

Illinois, Central:

 Increased the aggregate compensation of the combination clerk-magistrate position at Peoria to that of a clerk of a large district court.

Illinois, Southern:

 Continued the full-time magistrate position at Benton for an additional eight year term of office.

Wisconsin, Eastern:

- Continued the part-time magistrate position at Green Bay for an additional four year term at the currently authorized salary of \$900 per annum.
- (2) Continued the part-time magistrate position at Appleton for an additional four year term at the currently authorized salary of \$900 per annum.

EIGHTH CIRCUIT

Arkansas, Eastern:

(1) Continued the part-time magistrate position at West Memphis for an additional four year term at the currently authorized salary of \$1,800 per annum.

Arkansas, Western:

- (1) Continued the part-time magistrate position at Hot Springs for an additional four year term at the currently authorized salary of \$6,400 per annum.
- (2) Continued the part-time magistrate position at Harrison for an additional four year term.
- (3) Increased the salary of the part-time magistrate position at Harrison from \$3,600 per annum to \$29,250 per annum from October 1, 1982 to January 31, 1983 (with the salary to revert to the \$3,600 level on February 1, 1983).
- (4) Continued the part-time magistrate position at El Dorado for an additional four year term at the currently authorized salary of \$2,700 per annum.

Iowa, Northern:

(1) Continued the part-time magistrate position at Dubuque for an additional four year term at the currently authorized salary of \$900 per annum.

lowa, Southern:

 Continued the full-time magistrate position at Des Moines for an additional eight year term.

Minnesota:

 Continued the authority for the bankruptcy judge at Duluth to perform the duties of a magistrate for an additional four year period. (2) Increased the compensation paid to the bankruptcy judge at Duluth for the performance of magistrate duties from \$26,750 per annum to \$29,250 per annum.

South Dakota:

(1) Continued the part-time magistrate position at Aberdeen for an additional four year term at the currently authorized salary of \$2,700 per annum.

NINTH CIRCUIT

Alaskar

- Continued the part-time magistrate position at Juneau for an additional four year term at the currently authorized salary of \$900 per annum.
- (2) Continued the part-time magistrate position at Ketchikan for an additional four year term at the currently authorized salary of \$900 per annum.

California, Northern:

- Continued the part-time magistrate position at Oakland for an additional four year term.
- (2) Increased the salary of the part-time magistrate position at Oakland from \$26,750 per annum to \$29,250 per annum.
- (3) Continued the part-time magistrate position at San Jose for an additional four year term at the currently authorized salary of \$15,500 per annum.
- (4) Continued the part-time magistrate position at Eureka for an additional four year term at the currently authorized salary of \$900 per annum.

California, Eastern:

 Continued the full-time magistrate position at Yosemite National Park for an additional eight year term.

- (2) Increased the salary of the full-time magistrate position at Yosemite National Park from \$35,894 per annum to \$38,025 per annum.
- (3) Continued the part-time magistrate position at Alturas for an additional four year term at the currently authorized salary of \$900 per annum.
- (4) Continued the part-time magistrate position at Bakersfield for an additional four year term at the currently authorized salary of \$8,200 per annum.
- (5) Continued the part-time magistrate position at Bishop for an additional four year term at the currently authorized salary of \$6,400 per annum.
- (6) Continued the part-time magistrate position at Merced for an additional four year term at the currently authorized salary of \$4,500 per annum.
- (7) Continued the part-time magistrate position at Sequoia and Kings Canyon National Parks for an additional four year term at the currently authorized salary of \$15,500 per annum.
- (8) Continued the part-time magistrate position at Yreka for an additional four year term.
- (9) Increased the salary of the part-time magistrate position at Yreka from \$900 to \$2,700 per annum.

California, Central:

- Continued the part-time magistrate position at San Bernardino for an additional four year term.
- (2) Reduced the salary of the part-time magistrate position at San Bernardino from \$20,300 to \$15,500 per annum.
- (3) Continued the part-time magistrate position at Long Beach for an additional four year term.
- (4) Reduced the salary of the part-time magistrate position at Long Beach from \$13,600 per annum to \$10,000 per annum.

- (5) Continued the part-time magistrate position at Twentynine Palms for an additional four year term at the currently authorized salary of \$4,500 per annum.
- (6) Continued the part-time magistrate position at Lancaster for an additional four year term.
- (7) Increased the salary of the part-time magistrate position at Lancaster from \$3,600 per annum to \$8,200 per annum.

Hawaiis

- Continued the full-time magistrate position at Honolulu for an additional eight year term.
- (2) Increased the salary of the part-time magistrate position at Honolulu from \$8,200 per annum to \$15,500 per annum.
- (3) Continued the part-time magistrate position at Hilo for an additional four year term at the currently authorized salary of \$1,800 per annum.
- (4) Continued the part-time magistrate position at Lihue for an additional four year term at the currently authorized salary of \$900 per annum.
- (5) Continued the part-time magistrate position at Walluku for an additional four year term at the currently authorized salary of \$900 per annum.

Idahos

(1) Continued the part-time magistrate position at Twin Falls for an additional four year term at the currently authorized salary of \$1,800 per annum.

Washington, Easterns

(1) Continued the part-time magistrate position at Yakima for an additional four year term at the currently authorized salary of \$15,500 per annum.

Washington, Westerns

- Continued the part-time magistrate position at Olympic National Park for an additional four year term.
- (2) Increased the salary of the part-time magistrate position at Olympic National Park from \$10,000 per annum to \$13,600 per annum.
- (3) Continued the part-time magistrate position at Bellingham for an additional four year term.
- (4) Reduced the salary of the part-time magistrate position at Bellingham from \$6,400 per annum to \$3,600 per annum.
- (5) Continued the part-time magistrate position at Vancouver for an additional four year term at the currently authorized salary of \$3,600 per annum.

TENTH CIRCUIT

Oklahoma, Northerns

 Continued the part-time magistrate position at Miami for an additional four year term at the currently authorized salary of \$4,500 per annum.

Oklahoma, Eastern:

 Continued the part-time magistrate position at Hugo for an additional four year term at the currently authorized salary of \$1,800 per annum.

Oklahoma, Vesterni

- Continued the part-time magistrate position at Lewton for an additional four year term.
- (2) Increased the salary of the part-time magistrate position at Lawton from \$26,750 per annum to \$29,250 per annum.

Utahu

- Authorized the clerk of court at Salt Lake City to perform the duties of a part-time magistrate for an additional four year term without additional compensation.
- (2) Continued the part-time magistate position at Cedar City for an additional four year term.
- (3) Reduced the salary of the part-time magistrate position at Cedar City from \$4,500 per annum to \$1,800 per annum.
- (4) Continued the part-time magistrate position at Monticello (or Mosb) for an additional four year term.
- (5) Reduced the salary of the part-time magistrate position at Monticello (cr. Mosb) from \$2,700 per annum to \$1,800 per annum upon the expiration of the current term of the incumbent.
- (6) Continued the part-time magistrate position at Vernal (or Roosevelt) for an additional four year term.
- (7) Reduced the salary of the part-time magistrate position at Vernal (or Roosevelt) from \$2,700 per annum to \$1,800 per annum upon the expiration of the current term of the incumbent.

ELEVENTH CIRCUIT

Florida, Northerns

- Continued the full-time magistrate position at Persacola for an additional eight year term.
- (2) Continued the part-time magistrate position at Tallahassee for an additional four year term.
- (3) Increased the salary of the part-time magistrate position at Tallahassee from \$17,900 per annum to \$20,300 per annum.

(4) Continued the part-time magistrate position at Panama City for an additional four year term at the currently authorized salary of \$10,000 per annum.

Piorida, Southern:

- Continued the full-time magistrate position at Miami which is due to expire on September 11, 1983 for an additional eight year term.
- Authorized a fifth full-time megistrate position to serve at Miami.
- (3) Continued the part-time magistrate position at Fort Pierce for an additional four year term at the currently authorized salary of \$2,700 per annum.

COMMITTEE TO IMPLEMENT THE CRIMINAL JUSTICE ACT

Judge Thomas J. MacBride, Chairman of the Committee to Implement the Criminal Justice Act, presented the Committee's report.

APPOINTMENTS AND PAYMENTS

Judge MacBride submitted to the Conference a report on appointments and payments under the Criminal Justice Act for the six-month period ending March 31, 1982. The report indicated that Congress had appropriated \$26,500,000 for "defender services" during the fiscal year and that a surplus of \$2,000,000 had been carried forward into the fiscal year 1982. Projected obligations for the year are \$30,670,000. A supplemental appropriation in the amount of \$2,170,000 has been approved.

During the first half of the fiscal year 1982 there were 19,400 persons represented under the Criminal Justice Act compared to 21,200 represented in the first half of the fiscal year 1981, a decrease of 8.5 percent. Of this number 10,805 or 56 percent were represented by Federal Public and Community Defender Organizations.

BUDGET REQUESTS — FEDERAL PUBLIC DEFENDERS

The Criminal Justice Act, as amended, requires each Federal Public Defender Organization, established pursuant to 18 U.S.C. 3006A(h)(2)(A), to submit a proposed budget to be approved by the Judicial Conference in accordance with 28 U.S.C. 605. The Conference, upon the recommendation of the Committee, approved budget requests for the fiscal year 1984 for Federal Public Defender Organizations as follows:

Arizona	\$ 812,757
California, Northern	\$ 827,304
California, Eastern	\$ 694,337
California, Central	\$ 1,617,667
Colorado	\$ 335,820
Connecticut	\$ 310,539
Florida, Northern	\$ 215,380
Florida, Middle	\$ 519,205
Plorida, Southern	\$ 748,868
Georgia, Southern	\$ 270,826
Hawaii	\$ 261,512
Illinois, Central & Southern	\$ 168,677
Kansas	\$ 300,404
Kentucky, Eastern	\$ 278,242
Louisiana, Eastern	\$ 307,585
Maryland	\$ 626,591
Massachusetts	\$ 288,142
Minnesota	\$ 194,371
Missouri, Western	\$ 487,567
Nevada	\$ 351,958
New Jersey	\$ 643,390
New Mexico	\$ 273,543
Ohio, Northern	\$ 284,590
Pennsylvania, Western	\$ 294,899
Puerto Rico	\$ 321,765
South Carolina	\$ 287,639
Tennessee, Middle	\$ 238,983
Tennessee, Western	\$ 182,103
Texas, Southern	\$ 593,767
Texas, Western	\$ 586,968
Virgin Islands	\$ 529,442
Washington, Western	\$ 383,529
West Virginia, Southern	\$ 159,976
-	

TOTAL

\$ 14,268,346

Judge MacBride stated that the Federal Public Defender offices in the Districts of Connecticut and Maryland had requested supplemental funding for the fiscal year 1983 for increases in personnel staffing and resulting expenses. It was the view of the Committee, however, that in any district court in which the average cost per case for representation provided by private attorneys is substantially less than the cost per case for representation provided by the Federal defender, and there is no indication that the court is experiencing difficulty in obtaining qualified private attorneys to appoint under the Criminal Justice Act, increases in the personnel staff of the Federal defender should not, at the present time, be authorized.

GRANT REQUESTS — COMMUNITY DEFENDER ORGANIZATIONS

The Conference approved sustaining grants for the fiscal year 1984 for six of the seven Community Defender Organizations as follows:

Federal Defenders of		
San Diego, Inc		
San Diego, Calif	• • • • • • • •	\$1,118,730
Federal Defender Program,		
Inc., Atlanta Georgia		\$ 375,025
Federal Defender Program,		
Inc., Chicago, Illinois		\$ 628,554
Federal Defender Division.		
Legal Aid and Defender		
Association of Detroit		
Michigan	• • • • • • •	\$ 708,577
Federal Defender		
Services Unit,		
Legal Aid Society,		
New York, New York		\$1,537,102
Defender Association of		
Philadelphia,		
Philadelphia, Pa		\$ 517,464
TOTAL		\$4,880,452

The Conference upon the recommendation of the Committee deferred consideration of the funding level for the Community Defender Organization in the District of Oregon due to the uncertainty of the continuation of the Eugene branch office of that organization and the cost savings which would be associated with its disestablishment. For the same reason the Conference also, on recommendation of the Committee, denied supplemental funding for the fiscal year 1983.

FUNDING FOR THE FEDERAL PUBLIC DEFENDER IN THE SOUTHERN DISTRICT OF FLORIDA

Judge MacBride informed the Conference that the Attorney General of the United States had recently submitted a request to the Congress for funds to increase the staff of the United States Attorney's Office in the Southern District of Florida. In response to the Vice President's Task Force on Crime in Southern Florida several law enforcement agencies increased their staffs substantially in the past year. The Administrative Office has estimated that the augmentation of the United States Attorney's Office to the degree requested by the Attorney General would result in the filing of an additional 800 cases annually in the Southern District of Florida that would require the appointment of counsel under the Criminal Justice Act.

Upon the recommendation of the Committee the Conference thereupon approved contingent budget authority in the amount of \$500,465 for the Federal Public Defender office in the Southern District of Florida for the fiscal year 1984. If needed, these funds would be used to establish branch offices in Fort Lauderdale and West Palm Beach and augment the staff of the Federal Public Defender by the addition of seven assistant public defenders, two investigators, one paralegal specialist and five secretarial or clerical supporting personnel. The Conference directed that these additional funds not be used until there has been a significant increase in the caseload and workload in the district to a level justifying the increased resources and that any additional attorney positions be filled by the Public Defender only with the approval of the Court of Appeals for the Eleventh Circuit.

GUIDELINES

Judge MacBride informed the Conference that a number of judicial officers were issuing orders nunc pro tune ratifying or giving retroactive authorization for investigative, expert, or other services under subsection (e) of the Criminal Justice Act when the amount of payment for services exceeded \$150 and prior authorization had not been secured. The Act provides that the total cost of services obtained without prior authorization may not exceed \$150 plus expenses reasonably incurred. While the Committee was sympathetic with the desire to achieve flexibility in the administration of the Act, it was of the opinion that the existing language of Subsection (eX2) of the Act cannot be read to authorize any payment of compensation in excess of \$150 in the absence of actual prior authorization from the court. It was pointed out that Paragraph 3.02B of the Guidelines for the Administration of the Criminal Justice Act does not sufficently express the statutory prohibition against payments in excess of \$150 in situtations in which prior authorization for services was not actually obtained. Upon the recommendation of the Committee the Conference amended the Guideline to read as follows:

3.02B. Subsection (e)(2) of the Act prohibits any payment of compensation in excess of \$150 for investigative, expert, or other services unless actual prior authorization from the court for such services is obtained. Nothing in the Act can be construed to authorize a waiver of this limitation, nor to authorize the issuance of an order ratifying or retroactively authorizing the obtaining of such services where the cost exceeds \$150.

Judge MacBride stated that the Committee will consider proposing an amendment to the Criminal Justice Act to deal with this problem.

COMMITTEE ON THE ADMINISTRATION OF THE CRIMINAL LAW

Judge Alexander Harvey, II, Chairman of the Committee on the Administration of the Criminal Law, presented the Committee's report.

INTERLOCUTORY APPEALS

The Committee submitted a draft bill to amend Sec. 1291 of Title 28, United States Code, to withdraw jurisdiction from the courts of appeals to consider appeals, prior to final judgment, from the denial of motions to dismiss indictments. The Conference after full discussion referred the proposal back to the Committee for further study.

SEALING OF RECORDS UNDER THE YOUTH CORRECTIONS ACT

The Criminal Code, 18 U.S.C. 5021, provides for the setting aside of the conviction of a youth offender who has been unconditionally discharged from probation or from incarceration prior to the expiration of the prescribed term and for the issuance of a certificate to that effect. The Committee pointed out that since 1978 there has been a growing trend in the decisional law to read into the Youth Corrections Act an intention to seal the criminal record when a conviction has been set aside under the statute. In addition, at least one court has ruled that a youth whose conviction has been set aside under the Act may respond in the negative to any question regarding his conviction. To implement the views of the courts who have thus interpreted the Youth Corrections Act the Committee submitted a proposed model order with the recommendation that the Conference approve this order for the optional use of district courts in accordance with the decisional law of their respective circuits.

After full discussion the Conference voted to approve that portion of the model order providing for the sealing of records, but disapproved the provision permitting a youth to deny that he was ever convicted.

AMENDMENT TO THE SMUGGLING STATUTE

The Committee submitted to the Conference a proposed amendment to 18 U.S.C. 545, relating to smuggling goods into the United States. The proposed amendment is in response to the case of <u>United States v. Lespier</u>, 601 F.2d 22 (1st Cir. 1979), which overturned a conviction involving the interception of a vessel within the territorial waters of the United States

which was carrying cargo for which no invoice existed. The court of appeals held that the offense of smuggling is not committed until the merchandise is actually landed on shore. The proposed amendment to 18 U.S.C. 545 would make it unlawful to "transport with intent" to smuggle merchandise into the United States. The Conference upon the recommendation of the Committee approved the draft bill and authorized its transmission to the Congress.

COMMITMENT OF MENTALLY INCOMPETENT OFFENDERS

The Conference had previously recommended legislation providing that the standard of proof for a finding of "dangerousness" at the time of a commitment hearing following the acquittal of a defendant on grounds of insanity should be a "preponderance of the evidence." A recommendation of the Committee that the proposal be changed to require a "clear and convincing" standard of proof in commitment hearings was disapproved by the Conference.

COMMITTEE ON THE OPERATION OF THE JURY SYSTEM

Judge T. Emmet Clarie, Chairman of the Committee on the Operation of the Jury System, presented the report of the Committee.

JUDGES' MANUAL FOR THE MANAGEMENT OF COMPLEX CRIMINAL JURY CASES

Judge Clarie submitted to the Conference a Manual on Complex Criminal Jury Cases which had been prepared by a Subcommittee consisting of members of the Jury Committee and the Committee on the Administration of the Criminal Law. The Manual is intended as a practical guide for trial judges in organizing the progress of the complicated criminal case. The organization of the Manual follows the various stages of a criminal case from the filing of pre-indictment motions through the conduct of the trial, including sections on jury management and the regulation of prejudicial publicity as it affects jury selection. Upon the recommendation of the Committee the Conference authorized the Director of the

Administrative Office to distribute a copy of the Manual to every district judge.

PERIODIC REPORTING - JURY SELECTION

At the Conference session in March 1982 (Conf. Rept. p. 41) the Committee recommended that the clerks of the district courts continue to collect statistical information to determine whether jury wheels comply with the randomness and nondiscrimination provisions of 28 U.S.C. 1861 and 1862 but that the clerks of court no longer be required to report that information to the Administrative Office. The Committee at that time noted that the responsibility for complying with the requirements of the Jury Act remains with the district court and that the judicial councils of the circuits should exercise oversight responsibility. The Conference, however, asked the Committee to consider whether a clerk of a district court can discharge the court's responsibility to compile requisite statistical information.

Judge Clarie informed the Conference that the Committee had again considered this recommendation and continued to be of the view that the process of analyzing this statistical information should be decentralized and performed in the courts themselves. He assured the Conference that the analysis would not be highly technical and that the Committee had been reassurred that clerks of district courts have the capacity to perform this function under the procedures and instructions to be provided to them by the Administrative The computation process required of the clerks Office. easily manageable and not mathematically appears sophisticated. Upon the recommendation of the Committee, the Conference revised the regulations to require district courts upon the refilling of jury wheels to make a random sample of returned questionnaires to determine whether the jury wheels comply with the provisions of the Jury Act and to require the analysis to be performed locally by the clerk of the district court under the directions of the Administrative Office.

VOIR DIRE EXAMINATION

The Conference in March 1982 (Conf. Rept. p. 41) voted to express its opposition to S. 1532, 97th Congress, which would amend Rule 24(a), Federal Rules of Criminal Procedure,

and Rule 47(a), Federal Rules of Civil Procedure, to permit the parties or their attorneys to conduct the voir dire examination of prospective petit jurors. Judge Clarie informed the Conference that the Senate Judiciary Subcommittee on Courts had subsequently amended this bill to require an opportunity for the parties or their attorneys to conduct an oral examination of jurors, but in civil cases to permit judges in their discretion to limit attorney questioning except that each side would have to be allowed at least 30 minutes for such examination with an additional 10 minutes for multiple parties. not to exceed one hour per side. In criminal cases no definition would be made by this amendment of the "reasonable limitations" which the court would be authorized to impose upon attorney questioning. The Committee did not believe this amendment to be meritorious and recommended that the Conference oppose this amended version of the bill. This recommendation was approved by the Conference.

WITNESSES BEFORE GRAND JURIES

The Conference in March 1982 (Conf. Rept. p. 40) expressed its opposition to H.R. 4272, 97th Congress, which is a bill to provide for the assistance of counsel for witnesses appearing before grand juries and to authorize the court to appoint and compensate counsel for any person subpoened to appear before a grand jury who is financially unable to obtain counsel. Judge Clarie informed the Conference that three additional bills on this same subject, H.R. 5815, H.R. 5816, and H.R. 5817, 97th Congress, had been introduced in the House of Representatives. These bills deal with the assistance of counsel for grand jury witnesses, the subpoena and notification of witnesses of their rights, and the treatment of recalcitrant witnesses. I addition, one of the bills would require that the court dismiss an indictment in advance of trial which is found on the basis of the record of grand jury proceedings not to be supported by evidence admissable at trial. Upon the recommendation of the Committee the Conference voted to recommend against the enactment of any of these bills.

TAX TREATMENT OF JURORS' ATTENDANCE FEES

H.R. 6772, 97th Congress, is a bill to amend the Internal Revenue Code to allow an individual's spouse to receive the usual fee for service as a juror without losing eligibility for

certain retirement savings provisions relating to non-working spouses. The bill was introduced to alleviate a ruling of the Internal Revenue Service which might be adverse to the interests of federal jurors. Section 219(c) of the Internal Revenue Code creates a special rule for married individuals filing a joint return whereby a deduction is allowed for payments to an individual retirement account established for the benefit of a spouse who has had no compensation during the tax year. Since the receipt of the \$30 juror attendance fee has been defined as the receipt of "compensation", a non-working spouse serving as a juror may lose a valuable benefit under the tax laws. Because this interpretation of the law would appear to penalize the performance of jury duty and to discourage willing compliance with the summons to serve, the Committee recommended that the Conference record its support of H.R. 6772 as a matter of fairness in restoring to jurors what could be a valuable benefit under the income tax laws. recommendation was approved by the Conference.

JUROR QUALIFICATION QUESTIONNAIRE

Judge Clarie stated that the Judicial Conference is required by 28 U.S.C. 1869(h) to approve the juror qualification form used by the United States district courts to ascertain the qualification of persons whose names have been selected from the master jury wheels for prospective jury service. The form is distributed by mail to these prospective jurors. Recently the Postal Service amended its regulations to increase the firstclass postage rate for items having the size of the current form. To funds questionnaire conserve Administrative Office proposed minor alterations to the format of this form to bring its dimensions within a less expensive postal classification as well as making it more readable and understandable by prospective jurors. Upon the recommendation of the Committee the Conference approved the revised version of the juror qualification form submitted by the Committee.

IMPLEMENTATION COMMITTEE ON ADMISSION OF ATTORNEYS TO FEDERAL PRACTICE

The written report of the Implementation Committee on the Admission of Attorneys to Federal Practice, of which Judge James Lawrence King is Chairman, was received by the Conference. The Committee reported that the 14 district courts participating in the pilot program of federal attorney admissions standards were making satisfactory progress. More than half of the participating courts have now successfully implemented their new admission rules. The remaining districts indicate that substantial work has been done toward achieving that end. It has become clear to the Committee that several courts in the program cannot absorb the work of developing this program and the additional work which will inevitably be required to implement any new rules and policies imposing standards upon the admission of attorneys to practice.

The report also indicated that the Committee with the assistance of the Federal Judicial Center had conducted a productive meeting in April 1982 which brought together for discussion the chief judge or other overseeing judge and a bar representative from each district court participating in the pilot program.

COMMITTEE ON PACIFIC TERRITORIES

Judge Anthony M. Kennedy, Chairman of the Committee on Pacific Territories, presented the report of the Committee.

The Committee recommended that the Conference continue to support legislation to permit the United States Court of Appeals for the Ninth Circuit to review local law cases arising in Guam and the Northern Mariana Islands by certiorari rather than by appeal, but reserve comment, pending further study, on the proposal to empower the local courts in these territories to render final decisions on local law questions. The Committee also recommended that the Conference renew its support of legislation to make express provision for jurisdiction in the district courts of the Pacific Territories in diversity types of cases. These recommendations were approved by the Conference.

COMMITTEE ON JUDGESHIP VACANCIES

Judge Wilfred Feinberg, Chairman of the Committee on Judgeship Vacancies, presented the Committee's recommendation that the Conference authorize the Chief Justice, or his designated representative, to release at the close of each Judicial Conference session a list of all existing judicial vacancies, along with such information as the length of time that each vacancy has been in existence and the current public status of the appointment. It was the view of the Committee that this procedure might assist to expedite the filling of vacancies. The recommendation was approved by the Conference.

The Conference also approved the recommendation of the Committee that it be discharged and that the appropriate Conference Committee consider suggestions for dealing with vacancy problems, such as a Speedy Judicial Appointments Act or the creation of "floater" judgeship positions.

AD HOC COMMITTEE ON THE DISPOSITION OF COURT RECORDS

Judge Walter J. Cummings, Chairman of the Ad Hoc Committee on the Disposition of Court Records, presented the report of the Committee.

RECORDS DISPOSITION PROGRAM AND SCHEDULE

The Conference in March 1980 (Conf. Rept. p. 55) approved a Records Disposition program and Records Disposition schedules for the records of the various United States courts exclusive of the Supreme Court. After the schedules were formally issued in June 1980 several problems arose concerning retention periods, the procedures for retiring records to records centers and the need to establish schedules for records not covered. In December 1980 in response to these concerns the National Archives and Records Service placed a moratorium on the destruction of court records until these problems could be addressed. At its session in March 1981 (Conf. Rept. p. 12) the Conference authorized the Chief Justice to reactivate the Ad Hoc Committee on the Disposition of Court Records for the purpose of considering modifications to the schedules to resolve outstanding problems.

Judge Cummings informed the Conference that the reactivated Ad Rioc Committee had met on three difference occasions, had received recommendations from the Archivist of the United States and members of his staff, from a

committee of the Federal Court Clerks' Association, and from members of the staff of the Administrative Office. Furthermore, the Committee had received comments from various judges and court officers on a revised records disposition schedule which had been distributed for comment in April 1982. On the basis of its further study the Committee submitted to the Conference a proposed records disposition program and schedule covering the records of the various United States courts, other than the Supreme Court, and recommended that the disposition schedule and program statement be approved by the Conference as submitted and that the Conference authorize its transmission to the National Archives and Records Service and to the courts concerned. This recommendation was approved by the Conference.

TERMINATION OF THE WORK OF THE COMMITTEE

Judge Cummings stated that the work of the Committee in preparing revised schedules for the disposition of the records of the various United States courts had now been completed. The Conference thereupon discharged the Committee from any further responsibilities, and commended the Chairman and members of the Committee for their work. The Conference directed that future modifications in the disposition schedules be considered by the appropriate committee of the Conference.

ELECTIONS

The Conference in March 1982 (Conf. Rept. p. 48) authorized the Executive Committee to select a district judge to serve as a member of the Board of the Federal Judicial Center for a term of four years succeeding Judge Aubrey E. Robinson, Jr., whose term expired on March 28, 1982. Pursuant to 28 U.S.C. 621(a)(2), the Executive Committee selected Judge Warren Urbom of the District of Nebraska to succeed Judge Aubrey E. Robinson, Jr., on the Board of the Federal Judicial Center.

COMMITTEE TO REVIEW CIRCUIT COUNCIL. CONDUCT AND DEABILITY ORDERS

Judge Clement F. Haynsworth, Jr., Chairman of the newly-appointed Committee to Review Circuit Council Conduct and Disability Orders, reported that the Committee had made a preliminary review of the need for procedures to be followed by the Committee, but had adopted no rules as yet. In this regard he solicited suggestions from members of the Conference. The Committee has denied petitions for review in four of the five petition. Laus far received. The record in the fifth case is not yet non-plete.

he Judicial Council Reform and Judicial Conduct and Discoulty Act of 1980, P.L. 96-458, requires the Director of the Auministrative Office to include in his Annual Report a summary of the number of complaints filed with each Judicial Council pursuant to Sec. 371(c) of Title 28, United States Code, indicating the general nature of the complaints and the disposition of those complaints in which action has been taken. To enable the Director to fulfill his reporting obligations under this new law the Executive Committee of the Conference had previously approved two separate forms to be used by circuit councils in making their reports to the Director. The use of these forms will enable the Director to comply fully with the reporting requirements of the statute.

COMMITTEE ON SELECTION OF LAW CLERKS

Judge Carl McGowan, Chairman of the Committee on the Selection of Law Clerks, reported that the Committee had been in contact with representatives of the Association of American Law Schools and will meet soon to consider the formulation of workable procedures to obviate the confusion that now exists in the selection of law clerks.

AD HOC COMMITTEE ON JUDICIAL REVIEW PROVISIONS IN REGULATORY REPORM LEGISLATION

Judge Carl McGowan, Chairman of the Ad Hoc Committee on Judicial Review Provisions in Regulatory Reform Legislation, stated that the recommendations of the Conference pertaining to judicial review had been incorporated in pending legislation, but that no final action had been taken in the Congress. The Committee will continue to monitor pending legislation.

COURTROOM FACILITIES

The Conference approved the inclusion of a large ceremonial courtroom in the remodeling of the courthouse in Norfolk, Virginia and because of structural and other problems authorized a variance in size from the Conference approved standards for the ceremonial courtroom as well as two hearing rooms for magistrates.

PRETERMISSION OF TERMS OF THE COURTS OF APPEALS

The Conference, pursuant to 28 U.S.C. 48, approved the pretermission of the terms of the United States courts of appeals during the calendar year 1983 at the following locations: at Asheville, North Carolina in the Fourth Circuit; at Kansas City, Missouri and Omaha, Nebraska in the Eighth Circuit; and at Oklahoma City, Oklahoma and Wichita, Kansas in the Tenth Circuit.

RELEASE OF CONFERENCE ACTION

The Conference authorized the immediate release of matters considered at this session where necessary for legislative or administrative action.

> Warren E. Burger Chief Justice of the United States

November 12, 1982

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ANNUAL REPORT

OF THE

DIRECTOR OF THE ADMINISTRATIVE OFFICE

OF THE

UNITED STATES COURTS

1982

William E. Poley Director

ANNUAL REPORT OF THE DERECTOR OF THE ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS FOR THE TWELVE BONTH PERIOD ENDED JUNE 20, 1982

To: The Chief Justice of the United States, Chairman, and Members of the Judicial Conference of the United States

Pursuant to the provisions of Title 28 Section 604(a)(3) of the United States Code, I have the honor to report on the business of the courts and the activities of the Administrative Office of the United States Courts for the twelve month period ended June 30, 1982. This report is momitted in five subdivisions: Judicial Business, Judicial Administration, Judicial Appropriations and Expenditures, Equal Employment Opportunity Program of the Judicial Conference, and a summary of reports filed in accordance with Section 5 of Public Law 96-458, the Judicial Councils Reform and Judicial Conduct and Disability Act of 1980. Since the Act became effective October 1, 1981, this last section of the report covers the nine month period ended June 30, 1982. Several statistical tables are included to show the workload of the Federal courts during the reporting period.

JUDICIAL BURDIES

COURTS OF APPEALS

The workload of the twelve U.S. Courts of Appeals continued to rise in 1982 as 27,546 new appeals were filled. This was 6.0 percent above the previous record level of 1981 and 68.0 percent above the number of appeals in 1975. In terms of the workload of each judge on the courts of appeals, this year's fillings represent 635 appeals for each authorized three-judge panel. This was the first year that fillings have exceeded 600 per panel.

While the rate of new fillings continued to rise, the courts of appeals managed an even greater increase in terminations. This year, the courts terminated more appeals than were filed, resulting in the first reduction in the pending caseload since 1958. The 27,984 terminations was 11.4 percent above the number from the previous year and 38 cases more than the number filed. As a result, the pending caseload on June 30, 1982 was 21,510, or 0.2 percent lower than one year ago.

 appeals from administrative agency decisions. The 3,118 such appeals in 1982 was 17.9 percent below the 3,800 administrative cases filed in 1981.

Table 1
U.S. Courts of Appeals
Appeals Commenced, Terminated, and Pending
During the Twelve Month Periods Ended
June 30, 1975 through 1982

		Commi	enced		
Year	Year ships	Number	Cases Per Panel	Termi- nated	Pend- ing
1975	97	16,658	515	16,000	12,128
1976	97 97 97	18,408	569	16,426	
1977	97	19,116	591		15,444
1978	97	18,918	585	17,714	
1979	132	20,219	460	18,928	17,539
1980	122	23,200	527	20,887	20,252
1981	132	26,362	599	25,066	21,548
1982	132	27,946	635	27,984	21,510
Percent (1982 ove	Change				
1975	36.1	67.8	23.3	74.9	TTA
1981	0.0	6.0	6.0	11.5	42

Table 2
U.S. Courts of Appeals
Source of Appeals
During the Twelve Month Periods Ended
June 36, 1981 and 1982

Source	1981	1982	Percent Change
Total	26,362	27,546	6.0
U.S. District Courts Criminal	4,377	4,767	1.5
U.S. Only	4,940 12,074	5,517 13,267	11.7
Other Appeals: Bankruptcy Administrative Agency Original Proceedings	465 3,800 706	509 3,118 768	9.5 -17.9

STATUS OF JUDGESHEP POSITIONS

On June 30, 1982, there were 132 judgeship positions authorized for the U.S. courts of appeals. Seven of these positions were vacant at the end of the year, ranging in length from 1 to 13 months. All of the 35 new positions created in October 1978 have been filled. In addition to the authorized positions, there were 54 senior judges in the courts of appeals on June 30, 1982.

In the U.S. district courts, there were \$15 authorized judgeship positions on June 30, 1982. The District Court for the Canal Zone, along with the one position authorized there, was phased out effective March 31, 1982, resulting in one less judgeship this year. There were 20 vacant district judgeships at the end of the year, two of which had been vacant since their creation in 1978. The remaining 18 vacancies ranged in length from 1 to 20 months. In addition to the authorized positions in the district courts, there were 163 senior district judges on June 30, 1982.

Table 3 U.S. Courts of Appeals and U.S. District Courts Status of Judgeship Positions On June 38, 1873 through 1987

	U.S. C	U.S. Courts of Appeals		U.S. District Courts		
Year	Author- ized Judge- ships	Vacen- cies	Senior Judges	Author- ized Judge- shipe	Vacan- cies	Senior Judges
1975	97		47	400	13	182
1976	97	3	43	399	24	100
1977	97	10	48	396	25	120
1976	97	2	**	399	33	110
1979	132	38*	46	516	119*	127
1980	132		45	516	32	126
1961	132		45	516	41	149
1982	132	7	54	515	20	163

Of the 36 vicencies in courts of appeals, 35 were in judgeships created in October 1978. In district courts, 100 of the vacancies were in positions created in October 1978.

DESTRUCT COURTS

Civil Come

Civil filings in the U.S. district courts increased by 14.2 percent in 1982 as 206,193 new cases were filed. This new record level of filings represented 400 cases for each of the 515 judgeships authorized for district courts. This level was 50 cases per judgeship above the previous record level recorded in 1981.

The district courts terminated 189,473 civil cases in 1982, 6.5 percent more than in the previous year. Despite this increased disposition rate the pending caseload continued to grow. On June 30, 1982, there were 205,434 civil cases pending in district courts. This level was 8.9 percent above the 188,714 cases pending one year earlier.

Table 6
E.S. District Courts
Cod Coon Filed, Terminated, and Feeding
Suring the Termina Month Fartists Ented

		Commo	Commenced		
-	Norther	34.	Serni- sated	7	
sers	-	117,396	285	184,745	110,707
pers	200	130,697	MET	110,175	140,180
1077	110	136,547	226	117,190	155,404
1975		136,770	348	185,014	186,661
1079	100	194,666	200 207	143,353	107,481
1981	-	100,576	250	177,073	188,714
IM1	915	394,193	==	100,673	385,494
	Dange 18.5 4.7	73.0	38.5	7,5	71.4

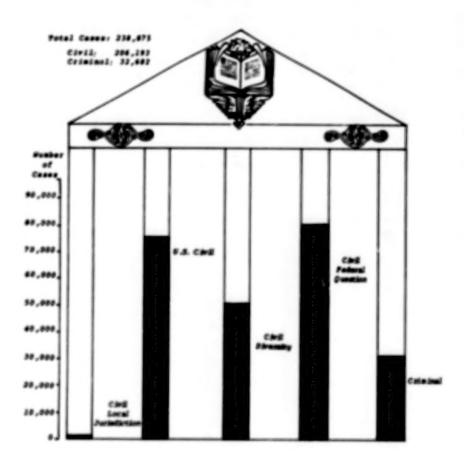
The nationwide increase of 14.2 percent in civil cases filed occurred primarily because of a 30.0 percent rise in cases in which the U.S. government was the plaintiff. U.S. defendant cases also rose but by a more modest 11.0 percent. Federal question and diversity cases also contributed significantly to the overall rise with 9.2 percent and 11.2 percent increases, respectively. The only basin of jurisdiction showing a decrease this year was local jurisdiction, where case filings fell by 13.5 percent.

U.S. District Courts
Civil Come Filed by Auradiction
During the Twelve North Periods Ended Ame 36, 1977 through 1961

Tear		U.A.	Cases		risete Ces	-
	Total	Pleate-	Defaut-	Federal Ques- tion	Disease of y of Chicago ship	Lorei Juris- dirition
	134,547 134,779 154,666 164,780 186,578	14,336 21,554 31,663 31,510 31,510 31,510	11,500 94,277 94,697 93,616 94,247 98,600	17,811 18,271 63,271 64,838 73,514 79,267	11,474 11,475 24,481 29,315 61,484 M,345	
I SEE COM			11.0	*4	11.0	414

CIVIL AND CRIMINAL CASES FILED

IT MER'TH CHIEF AND R. VILL



The single class of case contributing most to the increase in civil filings this year was recovery of overpayments and enforcement of judgments, where case filings rose by 65.5 percent. This class consists primarily of cases filed by the U.S. government to recover defaulted student loans and overpayments of veterans' benefits. Social security filings rose this year by 31.0 percent as more than 12,800 cases were filed. Civil rights cases involving employment also rose substantially again this year with a 23.1 percent increase. Bankruptey appeals to district courts were up by 25.9 percent while foreclosures rose by 22.0 percent. Trademark and copyright filings also rose substantially this year with increases of 16.7 percent and 15.2 percent, respectively.

Three major classes of civil cases showed significant decreases in filings this year. Land condemnation cases fell substantially again with a \$1.6 percent decrease. Fraud cases, including truth in lending, declined by 21.0 percent while antitrust filings fell by 21.2 percent. The decline in antitrust filings occurred for both private cases and cases filed by the U.S. government.

Criminal Cases

Criminal cases filed in the district courts increased to 32,682 in 1982, 4.5 percent above the 31,287 cases filed in the previous year. The 1982 filings represented 63 new cases for each of the 515 authorized district judgeships nationwide.

The district courts terminated 31,889 criminal cases in 1982, 5.5 percent above the 1981 level but 793 cases short of the number filed in 1982. As a result, the pending caseload on June 30, 1982, grew to its highest level since 1977. The 16,659 cases pending at the end of this year was 5.1 percent above the number pending one year ago.

Table 6
U.S. District Courts
Criminal Cases Filed, Terminated, and Pending
During the Twelve Houth Periods Ended
June 38, 1975 through 1982

		Comme	need		
Year	Author- ized Judge- Year ships		Canes Per Judge- ship	Termi- nated	Pending
1975	400	43,282	108	43,515	22,111
1976	399	41,029	103	43,675	19,756
1977	398	41,589		44,233	17,150
1978	399	35,963	194 99 63 56 61 63	37,286	15,847
1979	516	32,688	63	33,442	15,124
1980	516	28,921	34	29,297	14,750
1981	516	31,287	61	30,221	15,850
1982	515	32,442	63	31,889	16,659
Percent C					
1975	28.8	-94.5	41.7	-26.7	45.7
1901	4.2	4.5	3.3	5.5	5.4

The overall increase of 4.5 percent in criminal case filings this year came as a result of increases in most major offense classifications. The most significant of these increases was for prosecutions of marihuana violations which rose by 39.9 percent, while drug related case filings overall rose by 11.5 percent. Weapons and firearms prosecutions continued the increasing pattern established last year with a rise of 36.2 percent. Prosecutions of forgery and counterfeiting violations also rose substantially this year with an increase of 17.5 percent while auto theft filings increased by 21.0 percent.

Petit Jurors

The number of petit jurors available for service in the district courts declined in 1982 as 2.7 percent fewer jurors were called than in 1981. In 1982, there were 631,806 jurors available compared to 648,929 in 1981. The percentage of jurors who were selected for or serving on a jury trial rose to 61.5 percent compared to 61.1 percent in 1981. The percentage challenged rose slightly to 15.5 percent, while the percentage not selected, serving, or challenged fell to its lowest level ever at 22.5 percent.

The decrease in available jurors resulted partially from the decrease in the number of jury trial days. The 35,263 jury trial days in 1982 was 0.9 percent below the 35,596 reported in 1981. The decrease in available jurors also came as a rusult of improved efficiency in the use of jurors as measured by the Juror Usage Index (J.U.I.). This index represents the avarage number of jurors on hand for each jury trial day. In 1981, the J.U.I. was 18.23 which was the lowest ever recorded. This year the courts reduced the J.U.I. to 17.91 or 1.8 percent below the 1981 level.

Table 7 U.S. District Courts National Petit Juror Usage During the Twelve Month Periods Ended June 38, 1975 through 1982

	Jury	Trial	-	-	Jurar Days									
Year	Total	Crim- inal	Civil	Total	Selected or Serving	Chai- lenged	Not Selected, Serving, or Challenged	1.01.						
1975 1976 1977 1978 1979 1960 1961	28,293 30,032 29,875 29,236 26,851 32,159 35,196 35,263	\$5.5 \$9.3 \$6.7 \$5.0 \$2.6 48.7 44.7	44.1 40.7 43.3 45.0 67.4 51.3 55.3	546,627 592,594 584,122 570,523 545,617 605,547 648,929	60.1 60.2 60.4 60.5 59.2 60.9 61.1	14.1 15.4 15.5 15.5 16.2 15.2	23.8 24.1 24.1 24.0 24.6 23.9 23.4 23.4	19.32 19.73 19.55 19.51 19.60 18.63						

^{*} Juror Usage Index.

PETIT JUROR USAGE

17 MONTHS ENGED AME 38, 1882

2072: Eighteen people are pictured because the Junit Usape Index* in 1982 was 17.51.







[&]quot;The Arms Union fraction is the parties of proper on hand for each pury true day, and is considered by disching the cases regulate of each purpose the fine count regulate of pury true days.

Probability from party resemble to their contra

Grand Aurora

Grand juror activity slowed somewhat in 1982 as 10,508 sessions were convened. This was 4.4 percent below the 1981 level but 1.8 percent above the number for 1980. The total number of jurors in session and total hours in session were also lower in 1982. Total jurors fell 4.4 percent below the 1981 level while hours in session declined by 4.5 percent. Average jurors per session remained identical to 1980 and 1981 figures of 20.0. Average hours per session decreased slightly to 5.29 compared to 5.30 in 1981.

Table 8
U.S. District Courts
Grand Juror Statistics - National Totals
During the Twelve Month Periods Ended
June 30, 1975 through 1982

				rors	Hours	
Year	Juries In Exist- ence	Sessions Convened	Total	Average Per Session	Total	Average Per Session
1975	570	7,846	156,167	19.9	41,421	5.28
1976	603	8,404	167,185	19.9	44,765	5.33
1977	641	8,849	175,687	19.9	47,094	5.32
1978	659	8,929	176,459	19.8	46,739	5.23
1979	674	9,791	194,168	19.8	50,896	5.20
1980	699	10,338	206,627	20.0	54,163	5.24
1981	738	10,997	219,860	20.0	58,278	5.30
1982	739	10,508	210,213	20.0	55,569	5.29

BANKRUPTCY COURTS

Bankruptey Fillings

Since the <u>Bankruptcy Reform Act</u> (Public Law 95-598) became effective on Oxtober 1, 1979, the twelve month period ended June 30, 1982 was the second full statistical year under the revised bankruptcy code. Table 9 shows bankruptcy fillings since 1979, the last full statistical year prior to the effective date of Public Law 95-598.

in the twelve month period ended June 30, 1982, a total of 367,866 cases representing \$27,342 estates were commenced in the bankruptcy courts. Additionally, 469 cases (estates) originally filed under the Bankruptcy Act prior to October 1, 1979 were respended during the year, making a total of \$27,811 estates filed in the bankruptcy courts. This is the largest number of bankruptcy estates ever filed during any statistical year.

UNITED STATES DISTRICT COURTS

GRAND JURY SESSIONS CONVENED AND DEFENDANTS INDICTED

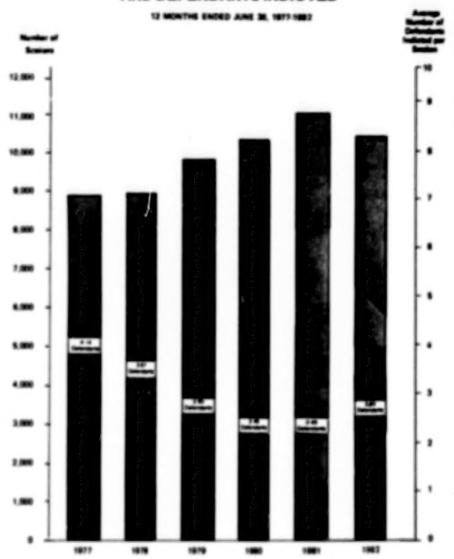


Table 9
U.S. Bankruptcy Courts
Bankruptcy Filings (By Estate)*
During the Twelve Month Periods Ended
June 30, 1979 through 1982

Year	Number of Estates	Increase	Percent Change
1979 1980 1981	226,476 360,957 519,063 527,811	23,525 134,481 158,106 8,748	11.8 59.4 43.8 1.7

[•] Under P.L. 95-698, a husband and a wife are afforded the option of filing jointly, incorporating two estates into a single rase. It is therefore successary to use the number of separate estates in bankruptey after October 1, 1979 to provide a comparative basis with all statistical data presented prior to October 1, 1979.

Although the number of bankruptcy filings has continued to increase, the rate of increase this past year has been slight. The 527,811 bankruptcy estate filings in 1982 represent a numerical increase of only 8,748 estates, or 1.7 percent, over the previous record high of 519,063 estates filed in 1981. This is significantly less than the 43.8 percent rate of increase in bankruptcy filings seen a year ago, suggesting that the dramatic increase in bankruptcy filings since 1979 may be stabilizing.

in 1982, for the first time since Public Law 95-598 went into effect, there has been a decline in the number of bankruptcy filings in individual circuits. As shown in Table 10, decreases in the number of filings were seen in 6 of the 12 circuits during 1982. The greatest numerical decrease in filings was in the Second Circuit with 4,058 fewer estates than last year or a 10.8 percent decrease in filings. The Tenth Circuit had the greatest percentage decrease with a reduction of 11.9 percent. The greatest numerical increase was in the Ninth Circuit, with an increase of 13,745 estates. The Third Circuit had the largest percentage increase with 24.8 percent rise in filings.

Tgate 19
U.S. Seatingstop Courts
Testingstop Filiage By Estated
During the Trether Electic Particle States
Acre 16, 1001 and 1001

-	1801		Ξ	-
	111,000	887,811	1,740	LF
Columbia		10,000		::
	10,000		1,00	111
4	91,297	91,718 91,491 91,599	430	#
a	10,00	10,40 10,40	13,746 13,746 -1,817	11.5 -01.5

Busineter Terminations

The number of bankruptcy estates terminated rose by 28.3 percent from 321,749 during the twelve month period ended June 30, 1981 to 412,852 in 1982. This is the largest number of bankruptcy estates ever closed in any statistical year. The estates terminated during 1982 included 31,754 estates filed under the Bankruptcy Act, and 381,098 estates filed under the new bankruptcy code.

Pending Retates

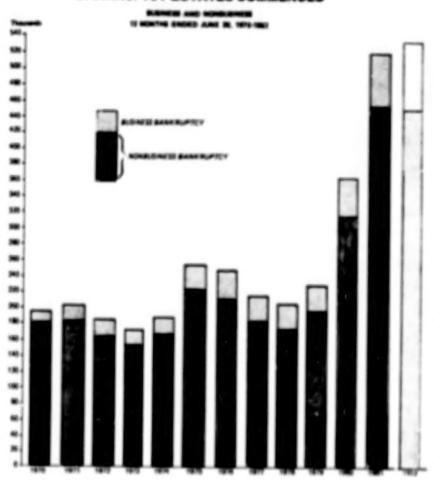
The pending bankruptcy caseload rose from 617,912 estates as of June 30, 1981 to 732,871 estates as of June 30, 1982, an increase of 18.6 percent. Although this is the largest pending caseload ever recorded in any statistical year, the rate of increase is down significantly from the 46.9 percent jump seen a year ago. The pending caseload is comprised of 66,853 estates filed under the Bankruptcy Act, and 666,218 estates filed under the new bankruptcy code. Table 11 compares the bankruptcy estate workload during the twelve month periods ended June 30, 1981 and 1982.

Tuble 01
U.S. Rastroptor Courts
Sweinington States Filed, Turninated, and Funding
Daring the Tweinis State) Funds Exclud
Jame 19, 1901 and 1991

100	Pilip	Temi-	Penting
	519,863 597,811	111/211	917,818 198,811
'=	9.8	86.0	18.6

144

BANKRUPTCY ESTATES COMMENCED



Rusiness Restroptoies

Business bankruptcy estates increased from 66,006 estates in 1981 to 77,003 estates in 1982. This is the largest number of business bankruptcies over filed. It represents 14.7 percent of the total fillings, an increase from the 12.7 percent recorded in 1981.

Table 12 shows the number of business and non-business estates filled and the percent each group bears to the total fillings from 1975 through 1982.

Table 12 U.S. Bankrupety Courts Business and Non-Business Bankruptcies During the Twelve Month Periods Ended June 30, 1975 through 1982

Yesr	Total Filings*	Non- Business	Percent of Total	Business	Percent of Total
1975 1976 1977 1978 1979 1980 1981	254,484 246,549 214,399 202,951 236,476 340,957 519,063 527,811	774,354 711,348 187,710 177,423 196,976 314,856 452,145 449,829	68.2 65.7 65.0 67.0 67.2 67.2 67.3	30,130 35,701 32,189 30,578 29,560 45,857 66,090 77,503	11.8 14.3 15.0 15.0 12.8 12.7 14.7

 Included in the totals for 1980, 1981, and 1982 are reopened Bankruptcy Act cases and Section 304 cases filed under the Bankruptcy Reform Act, not included in the breakdown of business and non-tuniness.

Fillings by Chapter

Table 13 indicates filings by Chapter for 1975 through 1982. Between 1981 and 1982, the number of straight bankruptcy (Chapter 7) cases dropped from 381,996 to 367,141, a slight decrease of 3.9 percent. On the other hand, there was a substantial jump in the number of Chapter 11 cases during 1982. They increased from 8,785 in 1981 to 16,215 in 1982, a significant increase of 84.6 percent. There was also a less substantial percentage increase in the number of Chapter 13 cases in 1982. The number of these cases increased from 128,281 in 1981 to 144,644, an increase of 12.6 percent.

Table 13
U.S. Bankrupety Courts
Fillings, by Chapter of the Bankruptcy Act
During the Twelve Month Periods Ended
June 38, 1975 through 1982

Year			Straight Bank-	Che		
		Total	ruptey	11	13	Other
1975		254,484	209,330	3,975	41,178	1
1976		245,549	209,067	3,901	33,579	2
1977		214,399	181,194	3,782	29,422	1
		202,951	168,771	3,991	30,185	4
	******	226,476	183,259	3,774	39,442	1
	Aet	67,517	55,013	1,182	11,322	
1980	Code	293,440	720,067	4,684	68,674	5
	Total	360,957	275,090	5,866	79,996	5
	Aet	911	822	33	56	
1961	Code	518,152	381,174	8,752	178,225	1
	Total	519,063	381,996	8,785	128,281	1
	Aet	469	439		19	
1981	Code	527,342	366,702	16,207	144,425	
	Total	527,811	367,341	16,215	144,444	11

Note: For purposes of uniformity, case filings in the years prior to October 1, 1979 are reported under the new Chapters provided by the Bankruptcy Reform Act, i.e., Chapters X, XI, and XII under the Act are shown in the aggregate under Chapter 11 of the Code.

Adversary Proceedings

The number of adversary proceedings, arising out of cases filed under the bankruptcy code, continues to increase. During the twelve month period ended June 30, 1982, a total of 138,563 adversary proceedings were filed. This represents an increase of 46.8 percent over the 94,632 adversary proceedings filed during the same period a year ago. Bankruptcy adversary proceeding terminations have increased at a higher rate, rising 59.1 percent from 58,753 adversary proceedings in 1981 to 83,457 in 1982. In spite of the increase in terminations, the number of pending adversary proceedings reached 103,776 as of June 30, 1982. This is 78.1 percent above the 58,280 adversary proceedings pending a year ago and represents an all-time high pending adversary proceeding workload. A summary of the adversary proceeding workload. A summary of the adversary proceeding workload during the twelve month periods ended June 30, 1981 and 1982 is provided in Table 14.

Table 14 U.S. Bararuptey Courts Bararuptey Adversary Proceedings Filed, Yerminated, and Pending During the Twelve Month Periods Ended June 30, 1981 and 1982

Year	Filings	Termi- nations	Pending
1981	94,632 138,963	58,753 93,467	58,280 103,776
Percent Increase	44.8	59.1	78.1

MAGRITRATIO

During the twelve month period ended June 30, 1982, U.S. magistrates continued to provide increasing assistance to the district courts. The number of matters handled by magistrates increased from 311,159 hast year to 225,563 this year, an increase of 4.5 percent, with the bulk of the increase in the more time consuming "additional duties" under Title 28 U.S.C. Sections 636(t) and (c). The changing volume and nature of services rendered by magistrates during the last six years, and during the first full year of nationwide operation of the system, are reflected in Table 15 on the next page.

Sain II C.S. Deven Courts Section Disposed of to C.S. Registroom Section Disposed of to C.S. Registroom

Activity	1973	3877	1819	2078		186	1993	Charge Charge (FRED // Charge
	75,000	100,000	100,000	100,000	-	9,00	M./98	40
===		17,481 80,481	15,845 (F,804)	0	8/2	25	13,000 73,000	#
	ISI,ARE	185,677	(MA)	-	-	9,00	-	**
	2.00		1,481 11,734 11,451 1,461	13,260 10,500 4,700 1,613	4,756 (1,375 (1,375 (1,380 4,351 1,438	16	6,/10 11,780 11,680 6,610 6,610	104 64 44 44 84
•	18,799	1,68	1,580 1,561 11,566	1,014	17,519	1400		17.4 10.4
	35,718	NUMB	845	m./m	180,718	181,715	127,000	19.0
	5,279	1,001	1,000 1,000 1,000		29,640 21,690 1,680 719	(0.54) (4.54) 1.58 (6)	11,799 11,000 1,000	0.0 0.0 10.0
		1,707	1,000	0,794	1,419 MF 1,680	1,000	3,514 607 3,780	44
		10,745 10,747 11,667	1,74	H	11,000 (0,00) (0,00) (0,00) (0,00) (0,00)	61, (60) 15, (60) 62, (60) 1, (50) 910	NA_JOH IR_JUS SI SI_JUS SI_JUS SI_JUS SI_JUS SI_JUS SI SI_JUS SI SI_JUS SI SI_JUS SI SI_JUS SI SI SI SI SI SI SI SI SI SI SI SI SI	11.4 11.4 11.4 11.4
		1.00 1.70 1.70	4,000	180	100	1	4,600 188 1,679 1,678	***
	: :	, 400 1,400 1,774	11,600 4,611 1,600 4,700	4,815 1,879 1,879 1,871	11,076 4,016 1,716 1,000 1,000 773	1,017	18,000 6,000 6,010 8,010 1,040	81.7 8.1 14.6 11.6 60.7
.,,,,,,,,						1,800	5.400	ma
		m)	101	i		1,000	L,827 (9) 963	23.4 44.8 84.8

And recognition reported.
And contained in termals.
Sections to the party and many party trans.

PROBATION

During the twelve month period ended June 30, 1982, the number of persons received for supervision (excluding transfers) by the Federal Probation System increased 6.6 percent to 31,531 from 29,575 received the previous year. This was the first such increase since 1975. The number of persons removed from supervision (excluding transfers) declined 11.2 percent to 32,439 from 36,550 the previous year. Since the number removed continued to exceed the number received, the total number of persons under supervision at the close of the year fell 1.1 percent from 59,616 to 58,573. The decline this year was moderate compared to the 8.4 percent reduction experienced the previous year.

Table 16

Fersons Received, Removed and Under Supervision in the
Federal Protection System

During the Twalon Month Periods Ended June 38, 1975 through 1981

	Personal	Re-	erived	Re	moved	Persona
Year	Deder Super- vision July 1	Total	Total Less Trans- fers	Total	Total Lem Trato- fers	Under Separ- vision June 31
1975 1976 1977 1979 1981	59,615 64,261 64,266 65,960 60,273 67,274 61,643 59,291	45,291 64,629 64,529 63,660 61,863 39,840 36,723 38,773	38,061 35,102 35,890 34,800 33,239 21,400 28,375 31,331	61,645 64,635 64,549 62,339 64,649 61,944 63,356 39,678	31,430 25,864 34,979 34,397 35,852 34,318 34,556 31,439	64,361 64,267 64,497 64,490 64,450 56,656 56,573
Percent Ct 1993 over 1981 1988	-98.0 -98.0 -98.0	5.4 -0.7	H	41	41.3	41

^{*} Revised.

Federal Probation Bystem
Federal Probation Bystem
Federal Received For Supervision
(Excluding Transford)
During the Twelve Month Federal Ended June 28, 1981 and 1981

	1001		196	11
Type of Supervision	No.	Per-	į	200
**************************************	29,575	186.6	31,831	100,4
Probation, District Court	11,000	44.5	13,200	42.5
rebetion, U.A. Magistrate	1,423	18.3	6,455	20.5
retrial Diversion	1,814	6.0	1,013	8.4
	6,453	21.4	5,000	88.7
Hardstory Release	1,030	8.0	1,001	6.3
Military Farele	346	1.5	297	
Special Parole	1,521	8.8	1,812	8.1

Table 18 reflects that a decrease of 11.5 percent in persons under parole supervision accounted for much of the reduction in persons under supervision. The number of persons serving special parole terms and mandatory release terms also declined by 4.5 percent and 2.0 percent, respectively. The number of persons under court probation supervision increased by 0.5 percent this year after several years of severe losses. The decreases this year were countered in part by a sitable increase of 12.5 percent in persons under U.S. magistrate probation supervision.

Table 18 Federal Probation System Persons Under Supervision On June 30, 1981 and 1982

Type of	Und Superv		Increase	Percent	
Supervision	1981	1982	Decrease	Change	
Total	59,016	58,373	-643	-1.1	
Probation, District Courts	31,643	31,816	173	0.5	
Probation, U.S. Magistrates	7,019	7,896	877	12.5	
Pretrial Diversion	2,089	2,117	28	1.3	
Parole	13,561	12,003	-1,558	-11.5	
Mandatory Release	1,226	1,202	-24	-2.0	
Military Parole	410	410			
Special Parole	3,068	2,929	-139	4.5	

Table 19
Federal Probation System
Workload of Federal Probation Officers
During the Twelve Month Periods Ended
June 30, 1975 through 1982

	Proba- tion Offi- cers	Presentence Investigations		Supervision		
Year		Offi- cers	Investi- gations	Offi- cers	Cases	Aver
1975	1,377	248	31,740	1,129	64,261	57
1976	1,452	252	32,193	1,200	64,246	54
1977	1,578	232	29,678	1,346	64,427	48
1978	1,604	213	27,278	1,391	180, 58	48
1979	1,604	214	27,409	1,390	66,087	48
1980	1,604	187	23,961	1,417	64,450	45
1981	1,534	195	24,957	1,339	59,016	54 48 48 48 45 44
1982	1,534	215	27,463	1,319	58,373	44

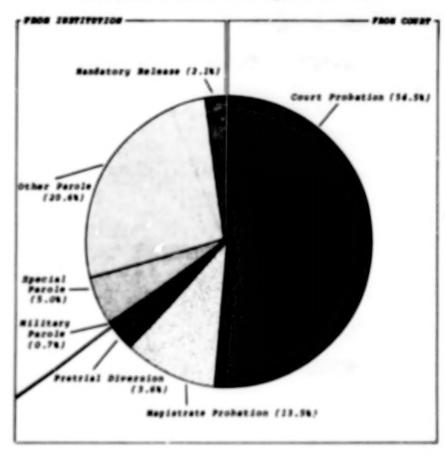
The Federal Probation System prepared 116,884 investigative reports during 1982, an increase of iem than one percent over 1981. Of these, 27,463 were presentence investigation reports. This was the highest number of presentence investigation reports prepared since 1977. Table 20 indicates that the number of collateral reports prepared increased 14.8 percent to 21,233 from 18,502 the previous year, the number of collateral ball reports prepared increased 46.4 percent from 302 to 442, and the number of parole revocation hearing reports rose by 1.3 percent. In contrast, fewer reports were prepared in all other categories of investigations. Prerelease investigation reports declined by 13.5 percent and significantly fewer furlough, workrelease, and postsentence reports were prepared.

Table 29 Investigative Reports by Probation Officers During the Twelve Musth Periods Ended June 38, 1981 and 1982

115,079 14,067 18,062 1,067	114,664 11,663 11,233	1,805 1,866 1,731	10.0
18,501	21,233		
1,167		1,731	***
	2,150		14.0
	-9	•	44
1,812	*1*	41	44
1,711	0,256	411	44
12,504	12,341	-943	4.7
8,897	1,004	-1,101	-13.6
6,821	5,755	-188	44
1,010	1,301	411	-18.5
11,000	11,000	-1,100	4.1
1,439	1,513	-116	4.7
	13,504 6,817 6,821 15,930 13,846	13,544 13,541 6,997 6,998 6,951 6,755 1,999 1,581 13,940 21,998	13,844 13,341 -443 1,877 0,846 -4,381 0,871 0,755 -584 1,970 1,361 -419 13,846 11,860 -1,344 1,841 1,860 -15

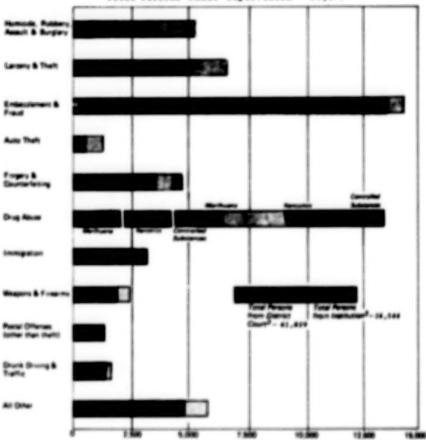
PERSONS UNDER SUPERVISION OF THE FEDERAL PROBATION SYSTEM BY TYPE OF SUPERVISION

Ami M. 1862 Total Sumber of Persons Under Supervision: 58,373



PERSONS UNDER SUPERVISION OF THE FEDERAL PROBATION SYSTEM BY OFFENSE'

AMI 28, 1882 Total Persons Under Supervision - 58,373



Cisestive by most serious offense so time of constitution or pretrief diversion.

Includes production terms imposed by 0.0. Statutet court judge or 0.8.

magistrous and pretrief direction.

Includes parole, military parole, mandatory release, and special parole.

JUDICIAL ADMINISTRATION

STATISTICAL ANALYSIS AND REPORTS DIVISION

The Division focused on several projects this year which will amist the courts in obtaining concise and current information.

The first of these projects was implementing a system for direct entry of statistical data obtained from some one and a half million records provided by the courts into computer terminals which are linked to the main computer facility operated by the Systems Services Division of the Administrative Office (A.O.). Therefore, the civil, trials, appeals, bankruptcy, criminal, and probation reporting programs have entered an era of the most advanced data entry possible.

The Statistical Analysis and Reports Division (S.A.R.D.) worked closely with Innovations and Systems Development Division of the Federal Judicial Center (F.J.C.) and the A.O. Systems Services Division in providing for the automatic transfer of criminal statistical data on computerized tape from the 11 U.S. district courts currently using Courtran criminal docket applications. This computer tape application will account for about 17 percent of the total statistical forms processed in the Oriminal Branch.

The Division continued to emphasize quality control of records received from the courts. One full time position is assigned to the review of documents received from the courts. Such review, with follow up of inappropriate reporting, assures that the final statistical reports will be in keeping with the high standards set by this Division.

Several tables published previously have been discontinued and others have been amended as a means of providing the most important information. Statistics which do not appear in the appendix tables or in text tables in the workload statistics portion of the final report will be available on request from the Director of the A.O.

The Division has continued its on-the-job training program and has provided the staff an opportunity to take courses or participate in seminars. During the year, one half of the 52 staff members attended one or more classes or workshops to improve their job performance. Four others served as faculty for training workshops sponsored by the F.J.C.

Besides the regular publications such as Federal Judicial Workload Statistics, Court Management Statistics, and Jury Utilization, the Division published the 1980 report on Federal Offenders. Two 10-year reports were published, one on bankruptcy and the other on criminal defendants covering the time period 1970 through 1979. These reports reproduced the statistical tables appearing in the Assumi Report of the Director for the same years.

The Sentences Imposed Chart for 1981 was published and made available for sale at the Government Printing Office. Initially, the Chart was prepared to provide an alternative source of sentencing data for Federal Probation Officers in the preparation of sentence recommendations. The Chart is now available to the general public. It shows the range of sentences imposed, as well as average sentences imposed under each title and section of the United States Code. As with any statistical compilation on sentencing, the report requires careful interpretation. Another publication, the U.S. Title and Section Code Sook, will be provided as a companion publication for use with the Chart to assist with the interpretation.

Improvement of instructions for reporting continued with the assistance of the clerks of court and deputy clerks who provided useful comments for the changes in criminal instructions, juror utilization instructions, and instructions for courts of appeals. Instructions for reporting of cases under advisement and submission were approved for distribution to Federal judges and clerks of court by the Subcommittee on Judicial Statistics at its May 1982 meeting.

As a part of improving service to the courts in connection with completing statistical reports, a complete list of all civil causes of action appearing in the United States Code has been compiled and classified according to A.O. major civil nature of suit statistical codes. Shortly, this civil citation listing will be made available to the clerks of the U.S. district courts so that docket clerks can more easily identify the appropriate nature of suit of a given civil action before the court. Later, it is anticipated that the major cause of action will be identified on the statistical reports by title and section as is now done for the criminal reporting, thereby enhancing the current classification of civil cases.

During the year, the instructions and forms required for the implementation of the <u>Equal Access to Justice Act</u> reporting were distributed. The Division began collecting data on awards made under this Act since October 1, 1981. A statement on the first nine months of the Act will be included in the final edition of the Armal Report.

In response to Congressional concerns with the collection of statistics and the need for them and at the direction of the Subcommittee on Judicial Statistics, the Division is carrying out an indepth review of the major statistical reporting programs. As a result of the review of the court of appeals program, two forms for reporting case participations (JS-33 and JS-33 A) have been rescinded effective July 1, 1982, since comparable information can be obtained from other sources. These reviews will continue with interim reports made to the Subcommittee on Judicial Statistics.

The Division continued to carry out the statutory requirement that the A.O. collect and report to Congress on Applications for Delays of Notice and Customer Challenges Under Provisions of the Right to Financial Privacy Act of 1978 and Applications for Orders Authorizing

15%

or Approving the Interception of Wire or Oral Communications. Both of these reports are being considered by Congress in an omnibus bill which would make it unnecessary to continue such reports.

During the year every effort was made to provide the court libraries with copies of annual reports for previous years. The Division also continued its long standing lean program for past as well as current reports, many of which are in short apply. At present, some 700 depository libraries receive the Assual Report of the Utincian, as well as the Wiretap Report and Court Management Statistics. This procedure provides researchers, the media, and the Federal har across the country with information that is nearby, rather than requiring a lean directly from the A.O. It is to be noted that a private vendor recognizing such needs has microfiched several statistical reports published by the agency.

The success of the statistical reporting system and the reports prepared for the use of the Federal judiciary is due, in no small part, to the efforts of the judges, magistrates, clerks of court, probation officers, and public and community defenders and their dedicated staffs. The quality of reporting continues to improve with the effective use of instructions, many of which were suggested by those who complete the forms. These statistical reports continue to meet the high standards of the Federal judiciary.

SYSTEMS SERVICES DEVISION

Court Systems Branch

Staffing of the Court Systems Branch was begun with the hiring of six programmer/analysts. These personnel are working closely with the F.J.C. Courtran project teams in order to learn the application systems which will be transferred to the A.O. in fiscal year 1983.

Court Systems Branch personnel will continue to work closely with the F.J.C. project teams to gain a thorough understanding of the Courtran applications to be transferred in fiscal year 1983.

Phase IIA of the Probation Information Management System (P.I.M.S.) project, the definition of the user requirements is nearing completion as of June 30, 1982. A cost benefit study of the proposed system is being prepared and a survey to identify the most feasible development alternative by the F.J.C. is scheduled for completion in September 1982.

Planned Activities

 In October of fiscal year 1983, responsibility for the software of six operational Courtran systems will be transferred to the A.O. The six applications are Criminal, Index, Speedy Trial Accounting and Reporting System (STARS), Appellate Information Management System (AIMS), Central Violations Bureau (CVH), and the Electronic Mail System. Six programmers

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will be transferred from the F.J.C. to the A.O. in October to join the existing six programmers in the Court Systems Branch.

- Courtran applications will expand moderately during fiscal year 1983 affecting some 17 courts during the year.
- Automation in the small to medium sized courts will be pursued. Functions such as inventory control, correspondence tracking, and time and attendance support will be addressed contingent upon fiscal year 1983 budget decisions.
- Phase III of the P.J.M.S. project, the development, test and evaluation of the system in three pilot offices, will commence in late fiscal year 1982. The F.J.C. is responsible for this phase; however, the A.O. will provide some programming support and will assist in the evaluation of the system.

Combined Operations Branch

Activities Completed

- Responsibility for the operation of the Courtran DECnystem-10 computers was transferred from the F.J.C. to the A.O. on October 1, 1981. Nineteen operations, user services, and systems programming positions and \$2,882,800 in budgetary authority were transferred. The Courtran operations staff and the original A. . computer operations staff were combined to form the Combined Operations Branch of the Systems Services Division.
- The Magnuson Model 32 computer processor was replaced with the faster and more powerful Model 43 processor in late May 1982. In addition, a second computer processor with similar power was installed in mid-June to meet increased processing demands and provide backup for critical systems.
- Construction of the new computer room on the first floor of the Lafayette building was completed in June. The Magnuson computer equipment and the new computer system were installed in the new facility.
- Detapoint 1500 series store and forward terminals were installed in March in seven large courts for Central Violations Bureau (C.V.B.) System use. These terminals allow the courts to enter the most common C.V.B. transactions in an off-line operation during the day, and then be connected with the Courtran computer during the night to transmit the day's data via high-speed communications lines. This takes a significant load off of the central computers during the peak daytime hours and allows savings in communications costs.

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Activities Undertaken and Still in Progress

- An NCR computer system was installed in June in the U.S.
 district courthouse for the District of Columbia in support of
 the District Court Financial Management System. The court is
 expected to begin using the system in July.
- A 24-station DECWORD word processing system is being planned for installation in the new A.O. site at 1120 Vermont Avenue in early fiscal year 1983, with a central DEC PDP-61/44 processing unit located in the computer room at the U.S. courthouse.
- An additional DECrystem-10 central processing unit is planned for installation at the 17th Street Courtran computer room in lyte fiscal year 1982 to provide additional processing power for Courtran, including more extensive use of the electronic ruell facilities by the courts.
- Work is progressing toward streamlining the progressing and operational procedures used on the Courtran computers to better serve the courts' users. An extensive audit of the use of these computers was completed by Digital Equipment Corporation in May, and the resulting recommendations are being implemented.

Activities Planned for Negt Year

- Prepare a request for procurement for replacement of present aging Courtran DECsystem-18 computers with newer generation equipment which is more powerful and cheaper to operate and maintain. Funds have been included in the fiscal year 1984 budget for this purpose.
- Continue efforts to reduce greatly increasing telecommunications costs for communications with Courtran courts by studying alternative means of communicating, more use of batch processing based on high volume inputs from store and forward terminals, and impovative programming of Courtran systems to require less communications.

Administrative Office Systems Branch

· 1. Completed

The Criminal Statistical Reporting System was modernized and transferred from the inforex to the Magnuson computer. As a result extensive redundant processing has been eliminated. The inforex system; has been released.

- A temporary mini-personnel system was installed to amist the Personnel Division in handling new merit promotion requirements.
- Major reprogramming of the non-criminal statistical systems has resulted in better processing and response on the Magnuson computer.
- An automated statistical reporting system was developed to assist the Magistrates Division in preparing magistrates statistics from the JS-43 and JS-43.A data. This system will prepare statistics for the Assaul Report and can be used to answer ad hoe queries.
- A cost benefit study of the U.S. Bankrup-try Court District of New Jersey bankrup-try noticing pillot operation was completed. The study recommended that the system be converted from a contract to an in-house operation and identified large savings in personnel costs, postage, copying costs, and specialized mail processing equipment. Based on this study, a request was included in the fiscal year 1983 budget for funds to expand the use of the bankrup-try noticing system to up to 29 additional courts.

Activities Undertaken and Still in Progress

- Design and programming of a new Organization/Personnel Database System was begun during fiscal year 1982 and is to be completed during fiscal year 1983. This system will be the master system for authorized personnel and actual strength, payroll, and personnel trudgetary data for the A.O. and the organizations it services.
- The District Court Financial Management System in Los Angeles is being expanded for use in the Bankruptey Court in Los Angeles. Expansion of the system to include jury data processing services has begun. The second pilot installation (U.S. District Court, Washington, DC) is in progress.
- The stabilization project for the centralized accounting system is underway and nearing completion. New procedures and checks are being instituted to maintain the integrity of the system.
- The conversion of the automated Bankruptey Noticing System to run on the A.O. computers is nearing completion. It is anticipated that processing for the New Jersey pilot operation will commence at the A.O. by August. The distribution and mailing of the notices will be done at the facility in Forestville, Maryland.

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Activities Planted for Next Year

- Complete programming, tenting, conversion, and installation of the Organization/Personnel Database System.
- Extend the District Court Financial Management System.
- Begin development of a complete new Financial Management.
 Detahase System for the A.O. and the organizations it services. This system is planned to interface with the decentralized financial management system.
- Contingent upon budgetary approval, the Bankruptry Noticing System will be implemented in up to 19 additional bankruptry courts in fiscal year 1983. A high-speed laser printer will be acquired at Forestville and an additional computer will be obtained for bankruptry noticing processing. The automated bankruptry noticing system will be modified to include automatic generation of statistical data for S.A.R.D., printing of the docket sheet, microfiching of the case index and preparation of case management reports for the court.

A DECEMBER BATTLE SERVICES DEVELOR

During the year ended June 38, 1902, the Division accomplished the following:

- Completed the work measurement study of the clerks offices, U.S. district courts. The study results, which included a new staffing formula to be used for budgetary and allocation purposes, were submitted to and approved by the Judicial Conference at its March 1982 session.
- Completed the work measurement study of the U.S. probation offices. This included a rewision of the original study to include an officer/elerical ratio. The study results, which included a new staffing formula to be used for budgetary and allocation purposes, were submitted to and approved by the Judicial Conference at its March 1982 session.
- Completed a Grading Parameters study of clarks, U.S. district courts, clarks, U.S. bankruptny courts, and Chief U.S. probation officers.
- Comple d 12 on-site office systems studies in U.S. district clerks' offices, U.S. bankruptey clerks' offices, and U.S. probation offices. Also, completed a copier and word processing survey for the A.O.

- Negotiated special lease/purchase plans with both BM and Xerox which will reduce copier expenditures by approximately one-third and word processing expenditures by approximately \$85,000 for fiscal year 1982 and subsequent years. Through these plans the Division has gained title to 83 copiers and 133 word processors at no additional cost beyond that which would have been incurred under a renewal of the standard lease plan.
- As a result of implementing the space guidelines for court reporters, as adopted by the Judicial Conference in March 1981, the Division has either released the casess space back to the General Services Administration (G.S.A.) or transferred the excess space to other court functions. This has resulted in an annual savings of approximately \$270,000. The adjustments have been made, and a report was submitted to the Subcommittee on Judicial Improvements of the Judicial Conference.
- In conjunction with the Magistrates Division, Chapter 8 of the Tailed States Courts Design Guide was rewritten, taking into consideration new duties and responsibilities magistrates were given under Public Law 96-62. This revised chapter was submitted as an agenda item for the January 1982 meeting of the Subcommittee on Judicial Improvements.
- Established a program of sub-leasing Judiciary controlled space to city, county, and state governments and private individuals. In most instances, the licensee is charged the going Standard Level Users Charge (S.L.U.C.) assessed the Judiciary. This leasing arrangement is a very effective way of allowing the Judiciary to retain control of previously under-utilized space for future use, increase the utilization rate, and collect a payment or fee while retaining control of the facility. There are currently nine outstanding sub-leasing agreements.
- As a result of a Judicial Conference resolution that the A.O. study several court locations for possible closure of the facilities, ten locations were surveyed and visited to gather information to be considered. Recommendations have been submitted to the Subcommittee on Judicial Improvements for its consideration.
- Plans were developed and implemented in the moving, expanding, and renovating of both new and existing space for ten A.O. components and the Judicial Panel on Multi-District Litigation.
- Arrangements were made for Judiciary employees to participate in three additional Federal Employee Health Units during the year. There are now 78 health units in which Judiciary employees participate.

- Because of the reduction in the S.L.U.C. protective service provided by the G.S.A. and the U.S. Postal Service, the Division has been able, through negotiations with G.S.A., to reduce the S.L.U.C. per square foot for standard protection from 30 32 cents to a flat 24 cents per square foot ratio. This translates into an annual savings for the Judiciary of approximately \$550,000 per year.
- As the result of releasing unused or under-utilized space and facilities through the improved monitoring of the S.L.U.C. billings, and negotiating with G.S.A. on the cost of reimbursable projects and close monitoring of reimbursable work authorizations, the Judiciary realized a savings of approximately \$364,596 for the year.
- In continuing the implementation of the forms management program, 43 new forms were designed, 97 forms were revised, 381 forms were reprinted, and 34 were cancelled. Cancelling these obsolete forms resulted in a savings of \$37,165. Assistance was provided to the courts in designing and/or printing 748 local forms and forms for P.I.M.S. Also, forms facsimile catalogs were issued in the Quide. The use of these catalogs avoids developing and printing local forms unnecessarily and thus saves paper and printing costs.
- Established and issued in the A.O. telephone directory mail codes for A.O. employees to speed the sorting and routing of mail.
- The Printing and Distribution Facility produced 17,000,000 printed units; mailed out 413,000 envelopes containing 1,152,700 publications; shipped 25,000 boxes by freight or U.S. Postal Service; acquired additional 3,000 square feet of space at Cryden Center to accommodate the planned automated bankruptcy noticing operation; re-arranged layout of the warehouse area to allow installation of the bankruptcy noticing operation adjacent to the distribution area; completed six parallel tests at the facility in conjunction with the mailout of bankruptcy notices for the New Jersey Court; and expanded daily pickup and delivery service to cover A.O. functions located at 17th Street and the U.S. District Court for the District of Columbia; reduced machine down time and repair costs by training the press operator to repair equipment as an additional duty; and saved \$2,850 from recycling silver and paper.
- Processed 5,408 requests for printing services; 1,239 requests for authorization for local printing (government and commercial); and 1,234 requests for graphics services. By careful review, reduced these requests which resulted in \$695,770 in postage and printing savings. Established realistic quotas for envelope printing and postage for each court.

- The Mail Services Unit delivered 295,100 pieces of incoming mail; dispatched 243,200 pieces of outgoing mr⁻¹, made 960 special messenger trips; and received/transmitted 2,417 documents by facsimile equipment. Also, a service was established for transporting A.O. employees and their supplies from the G.S.A. store back to their A.O. offices.
- Completed 39 transmittals for issuing information in the Quide to Judiciary Policies and Procedures; issued a binder for Volume I, Administrative Manual (A.O.), for material issued only to members of the A.O., thus making this information more usable; and issued more comprehensive instructions for preparing material for the Quide.
- Provided records disposition assistance on 580 occasions to members of the Federal Judiciary. Completed and submitted the report of <u>Annual Summary of Records Holdings</u> for records of the Judiciary to the National Archives and Records Service.
- Designated and prepared space on the first floor for use as a temporary records holding area. This will provide security of records stored in-house before being transferred to the Records Center and free usable office space.
- The Contracting Section received proposals, reviewed, processed, and issued 650 contracts. Also, an automated system was implemented for maintaining the master contract records and printing of records. This system also enabled the Section to implement a program whereby court reporting services contracts terminate on a staggered basis rather than at the end of each fiscal year.
- Processed 6,539 law book orders; 202 equipment orders (general office equipment); 208 word processing requests; 203 copier requests; 90 furniture orders; and 3,105 supply orders.
- A savings of \$267,500 was effected through an active program
 of transferring law books in lieu of purchase, cancelling unnecessary subscriptions, and negotiating acquisitions with judges.
- Division staff members participated as faculty in several F.J.Csponsored workshops and seminars for court personnel. Topics included procurement, space and facilities, and staffing standards.

PERSONNEL

Major projects completed included revision of the introduction, bankruptcy court clerks, and circuit library portions of the Judiciary Salary Plan, a personnel seminar for field personnel specialists, and production of videotapes on employee benefits in concert with the F.J.C. Continuing projects include revision of all other portions of the Judiciary Salary Plan, updating the Judge's Manual and writing the personnel chapter of the Guide to Judiciary Policias and Procedures. The Will cases and Foley vs. Reagan case personnel actions were processed with a minimum of disruption to normal services as was the open season for health benefits.

Table 21 shows personnel in the Federal Judiciary as of June 30, 1982. Table 22 reflects participation in the Judicial Survivors' Annuities System and Table 23 is a comparative statement of receipts, disbursements, and balances in the fund of the System. Table 24 reflects investment holdings in the System as of June 30, 1982.

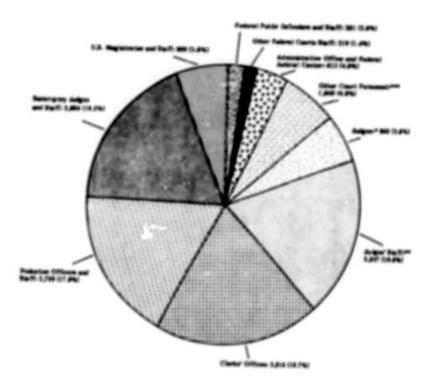
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PERSONNEL IN THE U.S. JUDICIARY

on June 36, 1962

TOTAL PERSONNEL: 11,319



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Table 11
Judicial Survivor' Assolition System
Comparedire Statement of Judicial Fartisipeties
And the Number of Survivor Assolitants
During the Textice Numb Periods Ended

Ages 38, 1975 through 1982

	Tear Reil 11 673 17 683 17 683 17 683 18 730 18 614	Audicial Officials		Survivor Associtants			
Tear	On the Reli	Partie- ipating	-	Aut in	App. App.		
1975	673		*	172	8,433		
1876	***	885		877	7,588		
1877	673	500		100	9,891		
	-			183	18,846		
1979	798	613		180	18,366		
	814	867	80	187	10,673		
1961	838	883		285	11,254		
1962	ets	687	79	187	13,197		

Species only. As of Jane 38, 1981, there were 12 children receiving an amolty; as of Jane 38, 1981, Ours were 11 children receiving an amolty.

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Table 24 Judicial Survivors' Assuity Fund Investment Holdings as of June 35, 1982

Interest Rate	Type of Investment	Amount
4-1/4 percent	U.S. Trecauty Bonds 85/55/75-65	755,800
3-1/4 percent	U.S. Treamery Sonds 86/15/78-43	545,580
6-4.6 persent	U.S. Treasury Bonds S&/LS/S4	416,800
6-1./8 percent	U.S. Treasury Sunds 11/15/86	229,000
6-1/4 percent	U.S. Treasury Bunds 88/15/87-62	722,000
4-1/6 persent	U.S. Treesury Bunds 85/15/89-84	547,500
3-1./2 percent	U.S. Treasury Bonds \$2/15/90	188,500
8-8/4 percent	U.S. Treasury Bonds 82/15/83	221,000
7-1/2 percent	U.S. Treasury Bonds 88/15/53	1,854,866
8-1/2 percent	U.S. Treasury Bonds 85/15/94-49	1,738,000
) percent	U.S. Treesury Sonds 82/15/85	\$1,000
7 percent	U.S. Treasury Ronds 85/15/93-68	195,000
2-1/2 percent	U.S. Treasury Bonds 11/15/68	113,586
7-1/4 percent	MEK. Rumda 68/(15/92	693,000
8-1/2 percent	MK Bonds 05/15/94-49	3,571,600
1-1/8 percent	MK Bands 84/15/95-68	44,552,000
# percent	MCK Bonds 64 /15/94-61	222,000
F-1/4 percent	MK Bonds 85/15/80-45	1,144,000
7-7 / percent	MK Bonds 82/15/95-60	191,000
4.6 percent	MK Bonds 92.51.80.47	558,880
11-2/A percent	MK Bonds 82/15/81	2,876,000
11-8/4 percent	WK Blands 82/15/45-18	865,000
13-1.6 percent		1,480,000
13-3 A percent	MK Bonds \$/15/01	3,134,600
15-3/- per	MK Ronds 11/15/01	4,614,000
Total beside	met Rollings (Per Yahri)	T1.068.58

COURT INTERPRETERS' PROGRAM

Since July 1, 1981, the Court Interpreters' Program initiated a third cycle of certification testing for Spanish/English interpreters. The A.O., in an effort to conserve monies, targeted high interpreteruse areas for test administration, rather than conduct a full nation-wide program as previously administered. Nevertheless, 1,401 candidates set the written portion of the test, 276 successfully. The oral portion was initiated but not completed during this reporting period.

Additionally, the staff began research preparatory to devising a certification program for Navajo. The staff also informally have assisted about ten official and unofficial state and local groups interested in upgrading their interpreting services in their courts.

Interpreters were used in 44 language: A Federal courts. A review of the use of interpreters shows the following in terms of dock-etable events in the courts during the year.

As Report District (As Repor District	
Language Number of Times Used		Language	Number of Times Used
Spanish	29,754	Finnish	10
Chamorro	234	Vietnamese	10
Haitian	223	Documo	9
Italian	91	Farsi	
Thei	91 90	Laotian	7
French	67	Hungarian	3
Urdu	61	Pakistan	3
Ambie	59	Crecie	2
Greek	59	Papago	2
Nevajo	59	Punjebi	2
Chinese	57	Abenien	1
Hebrew	34	Armenian	i
Russian	30	Dutch	i
Korean	34 30 27	Iranian	i
Carolinian	26	Slavie	i
Croatian	25	Taiwanese	î
German	25	Tongan	i
Polish	23	Yiddish	i
Japanese	22	randami viviti	
Portuguese	22		
Turkish	16	As reported by Ban	knotey Court
Persian	15	reported by their	may say court
Sign	12	Spanish	1,336
Apache	11	Sig'	7
ilmong	ii	G/man	i
Togalog	ii	Grek	

OFFICE OF MANAGEMENT REVIEW

During the congressional oversight hearings in the House of Representatives in the spring of 1981, the members expressed a concern and an interest in the Judiciary's taking a more active role in overseeing the administration of the Federal courts. Pursuant to this interest and the interest of the Judicial Conference in identifying problems quickly and targeting appropriate resources to resolve such problems, the Management Review Division has been reorganized.

Pursuant to the authority of the Judicial Conference of the United States under Chapter 15, and the authority of the Director of the Administrative Office of the United States Courts under Chapter 41 of Title 28 of the United States Code, the new Office of Management Review performs the function of impecting and auditing the administration and fiscal accountability of the Federal courts. In doing so, this Office acts as a representative of the Judicial Conference (1972 September Judicial Conference proceedings) and as an indepen-

dent reviewing agent of the Director. The Office also serves the Judicial Conference and the Director in iden. Sying, evaluating, documenting, and reporting problems to the appropriate responsible officials: The U.S. courts, the Judicial Councils of the Circuits, the A.O., the F.J.C., and the Judicial Conference. This Office reports directly to the Director of the A.O. and through him to the Chief Justice of the United States as Presiding Officer of the Judicial Conference.

The management and financial audits include a review and appraisal of the extent and nature of compliance with applicable statutes and regulations; policies, plans, and procedures; management controls of operations and resources; reliability of statistical data and reports; the integrity of the financial records; and the adequacy of internal controls. The examination procedures are directed toward improving efficiency of operations and identifying changes needed to bring about greater effectiveness at minimum costs.

Since the reorganization of this function and the creation of the Office of Management Review in September 1981, the Office produced in its first nine months 63 financial audit reports, each including a separate court reporter audit report, and 39 management audit reports, each including comprehensive audit reports on the individual functional components of the U.S. district courts and U.S. bankruptcy courts. (United States District Court: L. Court Profile (Space and Facilities, and Security), II. Court Governance, III. Case Management, IV. Magistrates, V. Clerk's Office, VI. Probation Office; United States Bankruptey Court: I. Introduction, II. Profile, III. Governance, IV. Case Management, V. Clerk's Office, and VI. Trustees.) The purpose of these reports is to identify problems in the administration of the courts audited, to recommend solutions, to identify resources for accomplishing resolution and to target the above information to those agents within the Judiciary who have the power to take action and/or enforce compliance.

The problems identified in the audit reports have been addressed by the courts, the Circuit Councils, the A.O., and the F.J.C. In two special audits, the problems identified were so serious that the Circuit Councils and the Department of Justice immediately investigated taking disciplinary and/or legal action in addition to managerial action by the responsible officials.

U.S. MAGETRATES

U.S. magistrates continued to provide considerable assistance in processing the caseloads of the district courts. The on-going development of the Federal magistrates system and its importance in the district courts is reflected in the numbers and types of magistrate positions authorized by the Judicial Conference. As Table 25 indicates, the magistrates system is continuing to evolve toward a system of full-time judicial officers as envisioned by the Congress.

Natio DI C.S. Secret Charts C.S. September Partition Authorised by the Author) Cardinases (FFS Security CM)

General Property Control		_			
	Year	Tetal	Rub- Time	func- Time	Commission
-		518 540	:	=	21
gams.	Mar	=	:	=	58 58
9979	Sering	581 979		=	38 67
0 6 73	No	100 100	100	=	97
1874	bring	100	112	=	**
100	Sering	=	118	=	87
carre	Sering	=	238 238	=	18
0.0077	Sering	=	100	=	18
1979	Sering	=	276		81 81
1979	Suring	=	100		21 28
	Sering	ess ess	=	PRO PRO	91
9 (60)	Spring	670 600	757 719	256 256	
1600	Spring	660	999	046	10

During the twelve month period ended June 38, 1982, the district courts appointed 26 new full-time magistrates, and 9 full-time magistrates were reappointed to new terms of office. During the same period, 14 new part-time magistrates were appointed, and 22 part-time magistrates were reappointed. Clerks of court and bankruptcy judges may also be authorized to serve concurrently as part-time magistrates. During the past year, two new clerks of court were authorized to serve as magistrates, and there were four renewals of prior designations (two clerks of court and two bankruptcy judges).

Among the new appointments made during the year, the average age of the full-time appointees was 40, and that of the new part-time magistrates was 41. New full-time magistrates had been admitted to the bar for an average of 13 years, and new part-time magistrates for an average of 12 years. Nine of the new full-time magistrates came to the bench from private practice, and ten were serving with the court of in other agencies of the Federal Government at an appointed. Five of the new full-time magistrates were employed in state or local government and two were serving as university professors.

CLERGS DEVERON

The Clerks Division serves as a cetalyst and a linison for a broad variety of activities affecting clerks of court, their offices, and functions. The Clerks Division in coordination with other A.O. Divisions and the F.J.C. has been involved in projects such as civil case management, juror utilization, District Court Local Rules Index, the circuit judiciary salary plan, the model exhibit control manual, budget and allocation of positions, the information and Management Bulletin, and transferring and staffing of magistrates' clerical positions. Some of the major projects of the last year are detailed below.

Office Systems Studies

A joint effort by the Administrative Services Division, the Clarks Division, and the F.J.C. to identify automated applications in non-COUETRAN courts was initiated this year. The Office Systems Task Force utilized a committee of clerks to establish priority tasks and sites, document workflow from inception through forms and reports, and maintain model automated systems. The major effort was the development of standard case management formats and programs for small and medium sized clerks' offices. Five districts were selected for this pilot project. In addition, word processing equipment was furnished for individual test programs. One such program is in the area of naturalization. Word processing equipment was us d in preparing naturalization certificates so that they could be handed out at naturalization ceremonies. The new citizens appreciated the immediate receipt of their naturalization certificates but, more importantly, the government saved hundreds of thousands of dollars in mailing costs and reduced duplicate typing. Other test programs are in the areas of attorney admissions and court reporter management. The Clerks Division continues to develop and maintain a manuals library on automation applications.

Management of the Jury System

As a result of the concern expressed by the Chief Austice and others regarding utilization of jurors, the Clerks Division has initiated a series of efforts to provide active support to the judicial rouncils and the district courts in their efforts to review and revise their juror management programs to reduce the "wasted jurar cost." information concerning the current proc durvs being used in the courts was gathered by means of a quertionnaire and the results are being made available to the courts to assist them in identifying practices that result in under-utilization of the jurors in their courts and in identifying courts that can provide information and amistance regarding other practices. The Clerks Division has also undertaken a series of visits to courts in coordination with S.A.R.D. to help specific courts with individual problems in juror management. The efforts have resulted in the adoption of improved jurar management practices in a number of the districts. This effort will continue with further visits and discussions at various circuit-wide clerks' conferences.

Case Management

Last year, the Clerks Division began compiling data as a result of a case management questionnaire. Based on this survey, the Clerks Division made presentations to several circuit judicial conferences, recommending the adoption of impossive guidelines and local rules to facilitate the movement of litigation, while emphasizing the full utilization and participation of the clerks' offices. The Clerks Division has also been responsive to individual requests for information and effective pretrial procedures used by various courts. As a result of the Division's recommendations, the Judicial Conference in March 1982, requested that the district courts develop efficient case management techniques by utilizing the Division's suggested guidelines. At present, the Division continues to be active in the case management area and is looking into such innovations as telephone conferencing, arbitration, and other techniques that might facilitate more efficient movement of litigation and by making in-court presentations to courtroom deputies and other employees on effective case management practices and techniques. Together with S.A.R.D., the Division is analyzing more officient alternatives to the current procedures for handling certain case groupings such as student loans, veterans' benefits overpayments, prisoner petitions, and asbestosis litigation.

Prisoner Litigation

In September 1981, the Judicial Conference approved the pro-se law clerk program and its expansion to other eligible courts. Subject to the availability of funds, the initial threshold for a court's eligibility to participate in this program is 300 prisoner civil cases per year; however, other factors will be evaluated by the Clerks Division in determining where to allocate the pro se law clerk positions, particularly if the number of positions available is limited. The Clerks Division is exponsible for administering and monitoring the program. This responsibility includes the continuing assessment of the program and its benefits to the courts. It further includes the development of uniform, but flexible, standards for the program to ensure the most effective use of the position. The Clerks Division is acting as a clearinghouse for all the pro se law clerks, and, with other divisions of the A.O. and the F.J.C., expects to maintain manuals, forms seming a, and other adminintrative services to assist the pro-se law elerks in the performance of their dyties.

Lone | Bules

In 1981, the Local Rules Index, an index of each district court's local rules categorized by subject mutter, was created in order to keep abreast of the frequent inquiries received from clerks, judges, and attorneys. The Index has enabled the Clerks Division to identify and send copies of representative samplings of local rules that may be of interest or act as a model to the requesting court in a variety of areas. These sample local rules, in turn, help the court in amending or adopting its own local rules. At present, the Local Rules Index contin-

use to be a highly popular program and an invaluable tool in facilitating a speedy, comprehensive review of local rules by subject matter. This year, numerous inquiries have been received on topics relevant to the Judicial Conference and circuit judicial conferences recommendations. The ludes has been most helpful in answering inquiries on registry funds, timeliness of filing for attorneys fees, taxing of costs, U.S. Marshaft Service, sanctions, limitations on the number of interrogetories which may be filed, attorney admissions, and others. Because of the success of the district court's Local Rules ludes, the Clerks Division has begun compiling a similar index and operating procedures for the U.S. courts of appeals. The continuing visbility of the Local Rules ludes depends upon, and benefits from, the timely submission of rule changes by clerks of court, which has helped make the lodes an effective resource tool.

PROBATION

Previous Services

Title II of the <u>Speedy Trial Act of 1974</u> authorized the Director to establish demonstration pretrial services agencies in ten judicial districts to assist in reducing crime by persons released to the community pending trial and to reduce unnecessary pretrial detention. Five of the agencies have been administered by the Division of Probation and five by boards of trustees appointed by the chief judges of the district courts. The agencies make prebail investigations for U.S. judicial officers and supervise and provide supportive services to defendants released pending trial.

The Director reported to Congress on the pretrial services program on June 19, 1979, with recommendations that the program be made permanent in the demonstration districts, that it be expanded to other districts on the basis of demonstrated need, and that funds be authorized to maintain the program in the ten demonstration districts until final congressional action occurs. Legislation to continue and expand the pretrial services agencies was introduced in both houses of the Congress in 1980 and passed the Senate, but did not pass the House. The legislation has been reintroduced in the 97th Congress, has passed the Senate and the House, and is awaiting conference action.

In the past year, the Pretrial Services Branch provided statistical information regarding detention, crime on ball, and failure to appear to the Chief Justice, Senators, Representatives, and other governmental agencies. At the request of the House Judiciary Subcommittee on Crime, the Evanch completed a statistical analysis of the problem of fugitive defendants in drug cases in the Southern District of Florida and, thereafter, at congressional request, established as emergency Pretrial Services Agency there.

Probation Information Management Systems (P.J.M.S.)

The A.O. and the F.J.C. are developing, with eight districts, a modern information system for probation field managers that will also provide sentencing courts with up-to-date information to aid in selecting sentences for convicted defendants, and generate national statistics for budget, planning, and research purposes. Phase II, the development of a statement of user requirements, was completed in December 1981. This was approved by the eight district user group, the directors of the A.O. and the F.J.C., and the Chairman of the Committee on the Administration of the Probation System. The work in Phase III consists of a cost-benefit analysis and a technical feasibility study of the proposed system. Phase III is scheduled for completion by the end of the summer of 1982. Phase IV requires the development of software and pilot testing in three probation districts. The fifth and final phase is expansion of the system to additional probation offices.

Drug Aftercare

Implemented in October 1979, the Drug Aftercare program is nearing completion of its third year of operation. For the current fiscal year, over \$3.5 million of the \$3,750,000 appropriated by Congress has been awarded to 197 treatment contractors and 2 urinalysis contractors. These contractors provide drug treatment and urinalysis services for over 4,700 drug dependent Federal offenders under supervision of the U.S. Probation System. As of March 1982, there were over 2,200 drug dependent Federal offenders receiving contract treatment services with nearly 2,500 offenders receiving noncontract services from community treatment agencies and U.S. probation staff.

On October 26, 1931, the House of Representatives passed H.R. 3963 to extend the Drug Aftercare Program for an additional three years. The bill is currently pending in the Senate.

A contract for the first phase of an evaluation of the program has provided for a review of over 1,200 case files and interviews with probation officers, judges, and Parole Commission staff. The contractor reported that the study found the Drug Aftercare Program to be functioning properly. While some problems were identified, they did not pose any liabilities to the overall operation of the program. Plans are being made for the second phase of the evaluation.

The A.O. has entered into an interagency agreement with the Centers for Disease Control to provide monitoring of the urinalysis contracts. Under this agreement, the technical staffs of the Centers are available to aid in the pre-award review and post-award monitoring of the laboratories' proficiency.

Voluntary Transfer of Probation and Pretrial Services Officers

A serious problem of inequity in the balance of probation workload has surfaced recently among the various districts. The decline of criminal case filings in past years has resulted in a substantial reduction in the work of some of the probation offices.

Chief judges of overstaffed districts are advising their probation officers of the possibility of transferring to districts needing assistance. Chief judges of understaffed districts are appointing officers who are willing to transfer from districts that are overstaffed. Officers are reimbursed for the expenses incurred incident to such a transfer. Earlier in this flucal year, 13 probation officers were transferred under this plan. The voluntary transfer of 25 pretrial services officers and probation officers has thus far been solicited. Sixteen of the 25 transfers have been completed and nine additional moves are underway, as of June 1, 1982. On recommendation of the Probation Committee, the Judicial Conference at its March 1981 meeting enforced the voluntary transfer program.

BANKRUPTCY

Public Law 95-598, commonly referred to as the Bankruptcy Reform Act, created a new Federal court of record with greatly expanded jurisdiction. To provide for continuity from the old court system into the new, Congress provided a transition period to run from October 1, 1979 until March 31, 1984. The twelve month period from July 1, 1981 through June 30, 1982 covered by this report marked the midpoint of the transition period. During these twelve months, the Bankruptcy Division has primarily been involved in administrative matters associated with the transition.

On June 28, 1982, two days before the period covered by this report ended, the U.S. Supreme Court handed down a decision holding that the broad grant of jurisdiction to bankruptcy court judges provided by the Bankruptcy Reform Act is an unconstitutional grant of authority to non-Article III judges (Northern Pipeline Construction Co. v. Marathon Pipeline Co., No. 81-150). The Supreme Court further held that the holding should not apply retroactively, but only prospectively. The court also stayed the judgment until October 4, 1982 to provide Congress "an opportunity to reconstitute the bankruptcy courts or to adopt other valid means of adjudication." The effects of this decision on the administration of the bankruptcy court system are now under study by the Bankruptcy Division.

In addition, the continued increase of bankruptcy estate filings has caused the severe staffing, equipment, space, and budgetary problems faced by many bankruptcy courts to persist. The Bankruptcy Division has continued to spend a great deal of its time serving as a liaison with other divisions of the A.O., court personnel, and representative committees in an effort to ease these problems.

Principal activities of the Bankruptcy Division in the year ended June 30, 1982 are described below.

Survey of Bankruptcy Judge Positions

The Bankruptcy Reform Act mendated that during the transition period, the Director should conduct surveys and make recommendations regarding the number of bankruptcy judges needed when the new court system becomes fully operational on April 1, 1984, their principal places of office, and the places where bankruptcy court should be held. Currying out this mandate has been a major activity of the Bankruptcy Division during this past year.

When planning commenced for the survey effort, it was determined that primary emphasis would be placed on identification and analysis of workload factors of the bankruptcy judge. One strategy used to accomplish this was the development and application of case weights. The Bankruptcy Division has worked closely with the F.J.C. in conducting a weighted caseload analysis of judicial workload in the bankruptcy courts. The study was based on data of detailed time records provided by 102 bankruptcy judges and the statistical data files of the A.O. Estimates of the amount of judge time consumed on the average by the various types of cases or proceedings were produced. These case weights were then applied to the filing rates of individual districts to estimate the judicial manpower needs for each district.

To supplement the case weight study, members of the Bankruptey Division staff conducted field visits to a majority of the bankruptey courts to examine additional variables affecting their workload.

In April of 1982, the Director reported his recommendations to the judicial councils. The Bankruptcy Committee of the Judicial Conference met in June of 1982 to review the recommendations of the Director and the councils.

The Bankrup toy Committee will present all recommendations to the Judicial Conference at its Fall 1982 meeting. Under the statute, the Conference is required to report its recommendations to the President and Congress before January 3, 1983.

Panels of Private Trustees

Pursuant to the Bankruptey Reform Act, the Director has the responsibility to appoint and maintain panels of qualified private trustees from which the court makes selections and appointments of interim trustees to serve in Chapter 7 liquidation cases in the 74 judicial districts that are not part of the pilot U.S. Trustee program. There are approximately 1,260 panel trustees serving in the non-pilot districts. Maintaining these panels (through additions and removals) is a continuing function of the Bankruptey Division.

Deputy Clerk for Estate Administration Position

The establishment of the Deputy Clerk for Estate Administration position has not only been instrumental in assisting the Director in governing performance of panel trustees in Chapter 7 cases, but it has facilitated case administration in Chapter 11 and Chapter 13 matters in the non-pilot districts. The Bankruptcy Division has actively participated in efforts to assist the deputy clerks for estate administration in establishing the most effective and efficient methods for supervising trustees. One means by which this is being accomplished is through the development of uniform practices and procedures. In March of 1982, the first seminar for deputy clerks for estate administration was held. The Bankruptcy Division worked closely with the F.J.C. in this effort to provide training and guidance.

Federal Rules of Bankruptcy Procedure

The Bankruptey Division continues to monitor the development of the **Pederal Rules of Bankruptey Procedure**. In March of 1981, the Advisory Committee on Bankruptey Rules released a preliminary draft of proposed new bankruptey rules and official forms for public comment. Public hearings, attended by Bankruptey Division staff, were held in May and June of 1982 in various locations. The period for public comment closed on August 1, 1982.

Advisory Committee Activities

The Bankruptcy Division has met several times this past year with the Director's Transition Advisory Committee, a committee of seven bankruptcy judges appointed by the Director pursuant to the Bankruptcy Reform Act for the purpose of advising him on bankruptcy matters related to the transition. The principal concern of this committee this year has been the survey conducted by the Director to determine the number of bankruptcy judge positions that will be needed when the transition period ends.

The Bankruptcy Division has also worked closely with the Clerks' Advisory Committee, a committee of bankruptcy clerks created for the purpose of advising the Bankruptcy Division on a wide variety of matters related to the operation of the clerks' offices.

Grade Comparability Study

Establishing proper grades for bankruptcy court clerks has not been fully resolved. The Bankruptcy Division has been working with other program divisions and the Office Systems Branch of the A.O. on a study to measure the grades of bankruptcy court clerks, district court clerks, and chief probation officers. In the interim, the decision was made to upgrade the position of bankruptcy court clerk to a minimum of grade JSP-14 in keeping with the intent of the Bankruptcy Reform Act, which provides that salaries of bankruptcy court clerks "shall be the same as" salaries of district court clerks.

Work Measurement

The Bankruptey Division has continued to work closely with the work measurement section of the Office Systems Branch within the A.O. to determine the widely varying manpower requirements of the clerks' offices in the judicial districts. A reevaluation of the present work measurement staffing formula is scheduled to begin on December 1, 1982 and continue through the first half of calendar year 1983. Implementation of the formula to allocate positions among the bankruptey courts also continues to be an on-going activity of the Bankruptey Division.

Computerisation of Notices and Claims

The Bankruptey Division, in coordination with the Systems Services Division of the A.O., has continued the development of a program for the computerization of the noticing and claims functions of the bankruptey clerks' offices. The Bankruptey Division has continued to monitor the pilot automated bankruptey noticing system in operation at three court locations in the District of New Jersey. A cost-effectiveness study of this system prepared by the Systems Services Division for submission to Congress in support of the fiscal year 1983 budget request has recommended expansion of the program to additional courts. The proposed plan includes conversion from contract to in-house system operation and establishment of a centralized A.O. facility for processing bankruptcy notices and claims. In addition, the Chief of the Bankruptcy Division has appointed five clerks to serve on the Bankruptcy Clerks Committee on Automation for the purpose of studying automation of the bankruptcy court system.

CRIMINAL JUSTICE ACT

During the past year, the Criminal Justice Act (C.J.A.) Division continued to assume primary responsibility for the role of the A.O. under the provisions of the Criminal Justice Act, Title 18 U.S.C. Section 3006A, and to serve as the executive staff for the Judicial Conference Committee to Implement the Criminal Justice Act.

Assigned Counsel - Federal Defender Program

For the twelve month period ended June 30, 1982, the A.O. recorded approximately 45,000 appointments of counsel under the <u>Criminal Justice Act</u>. Of this number, 22,780 persons, or 51 percent, were represented by private panel attorneys, and 22,220 persons, or 49 percent, by attorneys furnished by Federal Defender Organizations. The 45,000 appointments represent an increase of 3.4 percent over the 43,500 appointments recorded for the twelve month period ended June 30, 1981.

Federal Public Defender Branch Office, Pt. Smith, Arkansas

The temporary branch office in Ft. Smith, Arkansas, terminated operations on Pebruary 15, 1982. The closing of the Ft. Smith branch office, which was established in October, 1980 to provide representation under the <u>Criminal Justice Act</u> to Cuban refugees being temporarily held at nearby Ft. Chaffee, follows the relocation of the last of the refugees to various locations outside of Arkansas. During its 16 months of operation, the Ft. Smith branch office furnished representation in 379 cases.

Prisoner Transfer Program

The C.J.A. Division has continued to provide liaison and coordination in connection with the transfer of prisoners between the United States and foreign countries pursuant to Prisoner Transfer Treaties with Canada, Bolivia, Mexico, Peru, Panama, and Turkey.

Since the commencement of the transfer program, representation has been provided to a total of 1,087 prisoners, 675 of whom were United States citizens being returned to this country.

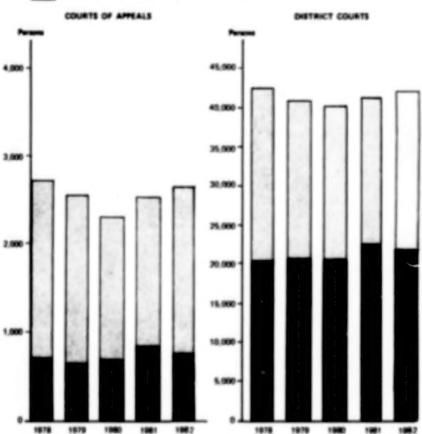
In May 1982, at the meeting of the "European Committee on Crime Problems" of the Council of Europe, a draft treaty for the transfer of prisoners was approved. The approved draft, which was to be referred to the full Council, includes an amendment permitting the United States to sign the treaty. The approval of this treaty could result in the implementation of prisoner transfer treaties with up to 21 member countries in the Council of Europe.

CRIMINAL JUSTICE ACT

NUMBER OF PERSONS REPRESENTED DURING TWELVE MONTH PERIODS ENDED JUNE 20, 1979 THROUGH 1982

Persons represented by private panel attorneys

Persons represented by Federal Public or Community Defendens*



 Excludes court directed princeer representations of innates of the V.S. Refinal Center for Pederal Princeers at Springfield, Himouri.

JUDICIAL APPROPRIATIONS AND EXPENDITURES

PISCAL YEAR 1982

For the second consecutive year the Judiciary has been operating without enectment of an appropriation bill. In the current fiscal year, funding has been provided through passage of four joint resolutions. The last of these resolutions, approved on March 31, 1982, provided funding authority through September 30, 1982. These joint resolutions allowed for new budget authority, exclusive of the Supreme Court, in the amount of \$697,000,000. This amount represents an increase of approximately 10 percent above the budget authority for fiscal year 1981.

The Congress has not yet approved the Judiciary's supplemental appropriations requests for fiscal year 1982. The Appropriations Committee of the House of Representatives has reported out the supplemental appropriations bill which reflects certain changes made by the Judiciary to the supplemental requests. Based on defender activity to date, it had been determined that \$850,000 of the original \$2,350,000 program supplemental for "Defender Services" was not required, and that although pay costs could not be absorbed, with the exception of the Court of International Trade (\$80,000), the Judiciary was able to partially finance the pay cost supplemental of \$21,334,000 by a transfer of \$4,500,000 from the appropriation "Fees of Jurors and Commissioners" and \$6,050,000 from the appropriation "Space and Facilities." The funds available for transfer from the appropriation "Fees of Jurors and Commissioners" is the result of a larger than anticipated unobligated balance brought forward from 1981 and a lower level of jury activity compared with the level anticipated when the 1982 budget estimate was developed. The funds from "Space and Facilities" are available as a result of a reduction in the rental charged by the General Services Administration for reduced security services and a decrease in funds required for furniture and repairs and alterations.

In addition to being unable to absorb any pay costs, it was necessary to avoid a projected deficiency in the appropriation Salaries of Supporting Personnel" by imposing a hiring freeze during 1982. As a result of the support and cooperation of the courts of appeals and district courts, the freeze was partially lifted on June 17, 1982.

As displayed in Table 26, the total budget authority for fiscal year 1982, assuming final Congressional approval of the supplemental appropriations, is \$709,254,000. The Judicial Dollar graph reflects the cost of various programs and activities in the Judiciary.

Table 39 U.S. Destrot Courts The Authorizey (Eurosaire of the Supreme Court) Internant of Appropriation Amounts, Fame 19

	Redget Authority	=	in mental aprin time	Tenal
Appropriation Accounts	Year 1982	Pay Cost	Other	7
Crust of Customs and Fatent Approximately and Expenses	1 1,850			1 1,000
Court of International Frade: Selectes and Expense:	5,000	-		1,586
Court of Claims Believes and Experime	1,000	276		1,179
Courts of Aspensis, District Courts, and Ottom Authoral Services: Substant of Autypes Selection of Supporting Fernances Defander Services (Crimonal Austine Actif Fees of Aspens and Communication	293,499	.55	1,000	200
Repenses of Operation and Maintenance of the Courts	55,600			11,000
Services for Day Department	81,290	1,500	*	64,786
Sparse and Facilities	3,750 123,600	4,00	. :	1,750
Total for Courts of Agencia, (Satrict Courts, and Other Authorial Services	614,256	8,450	1,000	667,276
Administrative Office, U.S. Courtic Science and Expenses	200,000	190		29,756
Federal Autorial Center: Selector and Expenses	1,600	179		1,770
Great Total	5 cot ,max	8 18,754	\$ 1,000	8 789,554

because \$16 transferred from the appropriation These and Facilities."

beliefes \$18,000 transferred from the appropriations "Fees of Aurors and Constitutionary" and "Sparse and Ferritains."

* Transferred to the appropriations "Solaries of Aulgor" (\$38) and "Solaries of Supporting Furnament" (\$4,500).

FISCAL YEAR 1963

The budget estimates submitted to the Congress for fiscal year 1983 (excluding the Supreme Court) were in the amount of \$829,719,000, an increase of \$120,465,000, or 17 percent, above the amount available for 1982. The House Subcommittee on Appropriations has not yet marked up this request. The following summary by appropriation addresses the 1983 request as submitted to the Congress.

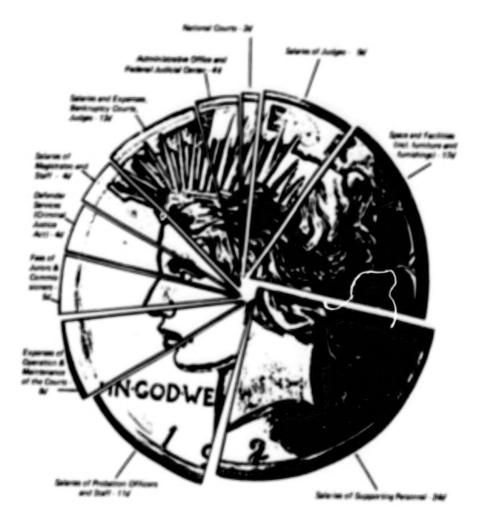
Schries of Judges

The 1983 request of \$63,500,000 reflects an increase of \$1,200,000 over the amount available for 1982. The increase provides for additional senior judges and funds to support a lower judgeship vacancy rate in 1983. This increase is partially offset by the abolishment of the judgeship associated with the District Court for the Canal Zone.

THE JUDICIAL DOLLAR

FISCAL YEAR 1882

TOTAL BUDGET: \$7:8,84,000



Same If had Budget Cationaries and Amounts Approved for Formi Year 1963

Comment of Comment			
Appropriation formation	Author/ 1907	fly Sintimptes (1981)	Change From 1982 Sudget Authority
Court of Assemble for the Federal Circuits Selection and Experien	8 1,000	8 5,000	8 5,599
Court of International Profes Selected and Experient	5,000	1,798	-
Carrie Carrie	6,279	5,000	-942
Cauries of Approach, District Courie, and Other Authorial Investors State on of Adjam. State on of Sequenting Function Distriction of Sequenting Function Distriction of Sequenting Function Autil From of Aprops and Constrainment Sequences of Operation and Maintenance of the Courts Sequences of Operation and Sequences Sequence	17.00 11.00 11.00 11.00 11.00 11.00	61,500 294,600 34,600 61,600 61,500 61,700 101,700 11,600	1,300 11,400 1,400 11,400 11,400 11,400 11,400
Total for Carrie of Agencie, District Carrie, and Other Anthony Services	867,279	779,025	511,896
Administrative Office, U.S. Courte Schrom and Expenses	39,798	25,000	4,758
Federal Autorial Content Sciences and September	1,770	8,000	808
— • • · · · · · · · · · · · · · · · · ·	8 799,254	8 839,719	8 199,465

There changes result from the <u>findings Courts Improvement Act of 1981</u> and become attacts (broken 1, 1981).

Orienter 5, 1980.

This amount will be transformed to the following repropriations: "Science of dargors" \$1,570; "Supremo of Operations and Secretaries of the County" \$1,570; "Supremo of Operations and Secretaries of the County" \$190; and "Space and Facilitats" \$1,074.

Salaries of Supporting Personnel

The 1983 request of \$298,000,000 includes funding for 712 additional supporting personnel for the courts of appeals and district courts. The major portion of this increase results from significant workload increases in the courts of appeals and district court clerks' offices (455 positions) and implementation of a revised work measurement formula developed for the Probation Service (219 positions, of which 89 were conceded due to a reduction in the projected workload). The request also includes funds for five additional full-time magistrates and staff, 25 magistrate legal assistants, 35 supporting personnel for judges who take senior status, 18 additional positions for the national court library system, 17 positions to establish court reporter coordinator programs in large district courts, and 23 miscellaneous positions. These increases are partially offset by the abolishment of the District Court for the Canal Zone and the transfer of the first aid unit in New York City to the Public Health Service.

Defender Services

The budget request for the operation of Federal defender organizations and the compensation of court-appointed attorneys is \$34,180,000, an increase of \$5,510,000 over the amount available for 1982. Much of the increase is associated with the impact of inflation on the program. This appropriation is subject to little, if any, control since our budgetary requirements are geared to the number of persons requiring representation by court-appointed counsel or by defender organizations.

Peer of Jurars and Commissioners

The increase of \$9,000,000 in 1983 is the result of a \$4,500,000 request for an anticipated increase in the use of grand and petit jurors and \$4,500,000 to recoup the amount transferred from the base appropriation to other accounts to offset fiscal year 1982 pay costs. As in the "Defender Services" appropriation, this account is subject to little control since the amount of funds expended is directly related to the number of parties requiring jury trials and the number of grand juries empaneled at the request of U.S. Attorneys.

Expenses of Operation and Maintenance of the Courts

Excluding the adjustments for inflation, an increase of \$5,804,000 is requested for expenses of operation and maintenance of the courts. This increase consists of \$3,124,000 for expenses relating to the request for new personnel and \$2,280,000 for the expansion of existing programs. The request includes \$200,000 to fund an electronic mail system for the Fifth and Eleventh Circuits and \$200,000 to embark on a multi-year program for the increased use of telephone conferencing in the courts.

Bankruptey Courts, Salaries and Expenses

The amount requested, \$94,720,000, represents an increase of \$10,020,000 above the amount authorized for 1982. To accommodate the significant increase in bankruptcy filings, the 1983 budget contains requests for two new full-time bankruptcy judges and staff, 160 additional deputy clerks, and 30 temporary law clerks. In addition, 39 deputy clerk-estate administration positions have been requested based on the assumption that Congress will approve the Administration's request to discontinue funding the United States Trustees' program in fiscal year 1983. Second law clerks for ten bankruptcy judges who have been appointed members of appellate panels are also included in this request.



Services for Drug Dependent Offenders

The 1983 request includes \$4,500,000 to enable the Federal Probation Service to provide special supervision and services to drug dependent offenders. The <u>Drug Dependent Federal Offenders Act</u> transferred this function in fiscal year 1990 from the Federal Prison System in the Department of Justice to the Federal Judiciary.

Space and Pacifities

The sum of \$155,752,000 is requested for 1982, which represents an increase of \$38,812,000 over the amount available in 1982. Of this amount, \$19,549,000 is earmsrived to pay to the G.S.A. an anticipated increase of 19.5 percent in rental charges for space currently occupied. The remainder of the increase is primarily attributed to the new positions requested for the operation of the courts of appeals, district courts, and benkruptcy courts and for space and furnishings required incident to the occupancy of new or remodeled facilities.

Court Security

This is a new appropriation in 1983 and will provide for the necessary expenses incident to the procurement, installation, and maintenance of security equipment and protective services for the U.S. courts in courtrooms and adjacent areas. Of the \$12,000,000 requested, \$8,000,000 will be transferred from the impartment of Justice appropriation and \$4,000,000 from the Judiciary's appropriation for "Space and Facilities."

ENHANCEMENTS TO THE FINANCIAL MANAGEMENT SYSTEM

Organization-Location Code

Beginning in fiscal year 1982, an organization-location code feature was established as an enhancement to the financial management accounting system. The addition of this feature was a response to the need within the Judiciary for more information regarding the formulation and execution of the Judiciary budget and the justification of budgetary requirements to the Congress. It was the desire of Judge Charles Clark, Chairman of the Budget Committee of the Judicial Conference, to be able to associate operating costs to specific organizations and locations in the individual courts where decisions are made that 'mpact the Judiciary's budget.

Although a few expenditures, such as space and FTS charges, cannot be readily allocated to the organization or office levels, information on all other costs of operating a circuit or district court and their component offices, including personnel costs, can now be provided by the accounting system. Detailed information on space charges and FTS which are assessed by the G.S.A. could become available on computer tape for entering into the accounting system at some future date. The first full year expenditure reports will be available after

September 1982. It is anticipated that this system enhancement will make it possible to compare operating costs with workload and to assess efficiency in such areas as juror utilization. It is planned that beginning in fiscal year 1983, reports showing obligations and expenditures will be available to the circuit, district, and bankruptcy courts.

Decentralization of Payments for Criminal Justice Act Transcripts

In a continuing effort to expedite the processing and payment of claims for services rendered under the <u>Criminal Justice Act</u>, the A.O., effective October 1, 1981, decentralized the payment of vouchers for transcripts by delegating this responsibility to the clerk of court in each of the district courts. The payment of C.J.A. transcripts was selected for decentralization because transcripts offer fewer sudit problems. To facilitate the processing of claims, a new voucher form was designed. C.J.A. Form 24, Authorization and Voucher for Payment of Transcript. After some expected transitional problems, payments under the new system are being processed expeditiously by the clerks' offices, saving the recipient a waiting period normally lasting three to four wocks. To assure compliance with existing laws, regulations and guidelines, the A.O. is performing a post-sudit of these vouchers, as it does with all vouchers paid by the clerks of court.

Payment for G.S.A. Supplies

The Judiciary purchases about \$5,000,000 a year in consumable supplies from G.S.A. Previously, the G.S.A. billed the A.O. where the invoices were paid without any certification or assurance that the supplies were delivered to the court. Under new procedures, G.S.A. bills are sent directly to the clerk of court who verifies with the requisitioner whether the items on the bills have been received in the correct quantities and the proper condition. When receipt has been certified, the bills are submitted to district court distursing offices for payment. Following the installation of this new procedure, some clerks of court have found cases of duplicate billings, receipt of unwanted supplies, and significant overcharges which they have resolved for a savings to the courts of thousands of dollars.

Centralised Collections and Claims Procedures

In an effort to better control the handling of all cash, checks and money orders received by or returned to any office or individual within the A.O. and to assure the timely ocllection of all monies due, a centralized collections and claims function has been established within the Financial Management Division. Procedures currently being developed also will be made available to the various clerks of court to assist them in their cash management functions. It is expected that the creation of a centralized collection function, with the responsibility resting in a collection officer, will substantially enhance the recovery of all monies due the Judiciary.

Trevel Regulations

Revised travel regulations for Justices and judges were issued in October 1980. On May 27, 1982, travel regulations for all other employees of the Judiciary were issued. These regulations represent the first major revisions since October 1970 when they were published in the Guide to Administrative Organization of the United States Courts. The new regulations essentially codified existing policies, procedures and guidelines governing travel. The regulations have been published in the Guide to Judiciary Policies and Procedures in Volume I, Chapter V, Part C. A handbook for personal use of employees similar to that provided to Justices and judges is in the process of being printed.

Airline Teleticketing

The A.O. entered into an agreement with the Veterans Administration for the use of their airline teleticketing system. This system enables A.O. travelers to obtain at one location all flight and cost information needed to make reservations. It is estimated that about half an hour is saved for each reservation by using the teleticketing system instead of calling different airlines for flight and cost information as was the past practice.

The new procedure uses only one Government Transportation Request (GTR) a week instead of a GTR for each ticket. The Office of Management and Budget (OMB) estimates it costs \$10 to process a GTR. During a three month period, 161 tickets were issued on 12 GTR's for a projected annual savings to the Government of \$6,500 in the processing of GTR's alone. In addition, the teleticketing system has saved the A.O. an undetermined sum of money by offering each traveler the selection of the least expensive flight available.

The A.O. is currently studying the installation of this same system in one of the district courts with a view to extending similar savings in cost and time to the field.

Statistical Sampling

Effective October 1, 1981, the Audit Branch began to audit a random sample of vouchers that were paid by the district court disbursing officers. It is expected that this random sampling method will save time in auditing vouchers because fewer vouchers are audited than previously under the judgment sampling plan. An important feature of the new sampling method is that all vouchers from which the sample is drawn have an equal opportunity of being selected. This removes much of the uncertainty about the condition of those vouchers not audited. The random sampling method permits the auditor to state, within a desired degree of confidence, that the percentage of error for the sample vouchers examined will be no different than if all of the vouchers were examined. Trends uncovered through statistical sampling forewarn of problem areas which are then resolved by 100 percent audits. Finally, statistical sampling will permit more timely sudits and quicker communication to the field regarding errors than heretofore.

REGISTRY PUNDS

There is a total of \$407,380,582 in the registry fund accounts of the U.S. courts. Of this amount, \$370,730,803 is in the custody of the district courts and \$36,649,779 is in the custody of the bankruptcy courts. These monies are deposited as follows:

al Depositaries: Non-interest Bearing Accounts Interest Bearing Accounts	Deposits	Percent
Total	\$ 407,380,582	100.0
U.S. Treasury	58,010,001	14.2
Local Depositaries: Non-interest Bearing Accounts Interest Bearing Accounts (Including U.S. Securities)	5,337,599 \$ 344,032,982	1.3

Despite the resolution of the September 1976 Judicial Conference that registry funds be deposited to either interest bearing accounts or the Treasury, significant amounts continued to be deposited in non-interest bearing accounts. As of June 30, 1982, there was \$5,337,599 in non-interest bearing accounts. This represents a decrease of \$1,609,459 in the amount of money deposited in non-interest bearing accounts over the prior year, or a drop of 23 percent.

Eight courts (five district and three bankruptcy) maintained balances in excess of \$100,000 in non-interest bearing accounts in local depositaries. These eight courts accounted for 78.8 percent of the funds deposited in non-interest bearing accounts.

The percentage of funds deposited in local depositary non-interest bearing accounts was 1.2 percent for the district courts and 4.0 percent for the bankruptcy courts. The percentage of monies in non-interest bearing accounts held by the bankruptcy courts has declined from 12.8 percent in fiscal year 1981 to 4.0 percent in fiscal year 1982. The majority of the monies held by the bankruptcy courts in these accounts are comprised of unclaimed dividends or distribution checks. Since these unclaimed dividends or distribution checks are in relatively small amounts and seldom claimed, some courts have not considered it desirable to deposit them in interest-bearing accounts.

Tables 28 and 29 show the amounts of deposit in the Treasury and in local depositaries for the respective district and bankruptcy courts.

Table 28 E.S. Decret Gerts Registry Funds in the Cartady of the E.S. Decret Courts

Descript	SA. Treaty		==	Short	14.	=	=
****	114,011,011	\$1,F1,600	1 100,000,000	FC. E	200,710		
a	458,284		139,494	#C, #	81,438 201,467		1,244,739
4.6	23.493		3,001,001*	A	174,000		1,731,4
L. W	72,500		1,301 888		99,279		9,640
L. S	8,208		1,011,762*	NJ	1,461,460		
A, E	101,493		1,797,750	MR	384,894		12,000,739
	393,716		15,266		8,436		
2	6,160,860		1,045,756		475,259	9,807	23,411
	1,847,849		63,663,6 D 6,612,139	#5,#	100,000		
A, C	1,000,000		08,794,712*	F1.1	1,811,600	FT.788	467,613
4.5	1,/74,298		1,093,603*	F1, F	274,403		1.5m.400
	1,011,010	8.840	497,477	96, 8	100,573		3,475,007
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	810			04, 9	197,497	675,049	195,497
C	975,827		1,513,367	06, £		261,735	
	285,455		586,860*	06, 9	1,613,600		3,461,565
	67.754		1,950,290	68	304,167		1,671,597
		18	1,411,400	PA, E			1,754,886
			9,482,853	FA. 2	194,417		864,697
	10,000		1,404,462*	PA, W	811,489		790,007
	17,00		800,674*	*******	1,923,494		-
	-		471,000		68,797		1,000,007
*******	277.AM		9,419,439	8 C	F7.081		101,000
	100,404		10,004	FR. 6	-	101.000	961,210
	141,618		104,698	75.8	221,798		201.040
	909,236		118,530	16. 9	945,419		301,314
	1,797,643		8.787.68E*	TL. 8	486,001	975	4,641,700
· C	440,266		1,500,515"	15.6	SASLAS!		2,794,095
	195,043			11.8	1,073,297		0.513,702
	401,000		18,079	11	1,040,158		1,415,494
	671,561	LANDA	14,072,000*		171,700	*	1,012,460
	900,487	1,000,000	168,631	VA. I	103,440		1,074,014
	-	1,500,600	1,674,679	W	1	160	771,760
		.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	4,079,248*	97	75,600		****
			18,878,476	WA, E	1,149,140		414,412
	99,799		4,398,879	EA, S	607.490		1,041,000
	4,513,357		*100,000	W. L	195,050		844,963
	1,046,477		8,119,794"		81,688		
******	100,460		150,661	W. S		20,794	1,244,570
	345,489		1,401,620	M	M1,5%		1,467,666
			913,000°	#f		54,877	1,494,478
0.6	91,411	4.000	1,071,440				
	611.600	1,000	1,793,443			Commercial	-
	18,377		601,783		Seen.	- Bartin	Sweet or
	813,419		W1.411		500	99	Output State
*******	346,480		E1.495.479			_	
	673,538		495,403		10	11	71

^{*} Secretary invested in the CA Secretary Secretary -- Std Ant Std

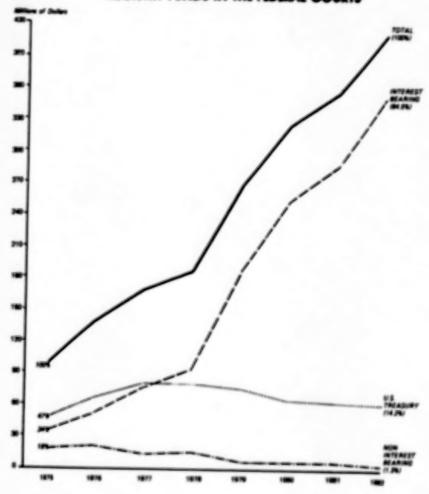
Table 29
U.S. Sentenging Courts
Registry Funds in the Custody of the U.S. Sentenging Courts
As of Aust 26, 1962

	Local De	positories.		Lorel De	
Destrict	Non- bitarial Bearing	Interest Rearing	District	And the same	blave! Restig
Tetal	11,466,290	5 25,285,589	m, r		
				17,485	40,004
46	136	677,700	#C, #		73,450
AL	13,781	213,166	#C, ₩		1,453
AL, W	1,497	33,256	#C, W	5,000	
AR, E	63,451	***	*D		8,367
AR. W		17,000	M	100	131,761
AZ	21,496	136,749	5	54,000	971,786
CA, #	7,872	1,924,643	AM	25,441	24,515
CA, E		65,274			
CA, C	36,640	****	M		30,000
CA.8	15,734	7,310	ET. 8	1,316	
00	16,847	1,347,078*	FT. 5	1,794	1,374,473
CL	0.0000.00		FT. W	85,578	Language
DC			OH, #	29,305	
			OH. 8	175,449	15,250
L	661	15,446	OK, #	9,617	14,348
1,5,	1,000	100,073	OE, E	-	
A, F	4,010	395,309	OK. W	1.00	11,463
A. W	943	391,396	PA, E	135,444	-
A.S		54,637	PA, H	1,230	
			FA. 2	1,750	360,243*
	8,700	193,299		86,374	34,434,474
	64,317		H		
D	233		BD		1,368
	1,500	739,763*	TR. E	12,180	
L, C	1,210		TR		85,239
	3,546	18,000	TR, #	6,296	
,	1,836	11,000	TX, 8	538	1,071,244
B	4,191		TL, 8	-	1411400
Y, E	8,831		TL		483,280
Y. W	885	193,807	UT		118,787*
A, E	11,600	16,594	VA. E	79,001	
A. W	81	9,797	YA, W		7,512
A	11,793	110,240	¥1		
D	** 455		WA, E		
S		134,079	WA, W	-	341,361
E. E	197,049		W. E	-	40,014
		130,233			
	84,858	136,678	W. S	4,945	
0, £	11,275	123,336	W,0	100	361,411
	9.0	111,000	WI		61,463

^{*} The amount invested in U.S. Treasury Securities was \$1,766,000.

WHITE STATES COLUMN

REGISTRY FUNDS IN THE FEDERAL COURTS



EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

The Federal courts have completed the second year of operations under the Judicial Conference's 1980 model plan for the promotion of equal employment opportunity in the courts. The courts' program constitutes a reaffirmation of the commitment made in 1966 to the national policy of a positive program to provide equal opportunity of employment. A separate report, published in conjunction with this Annual Report, discusses the development of the new program during the twelve month period ended June 30, 1983.

In general, the first year was a transition period for the courts. During that year, the courts reviewed the model plan adopted by the Judicial Conference and initiated their own local plans which generally followed the model plan. In addition, representatives from the several courts were afforded an opportunity during the first year to attend training sessions sponsored by the F.J.C. on the requirements of the Conference's program and its implementation in their own offices.

During the second year the courts have focused primarily on the actual implementation of the program in the day-to-day personnel activities of each office. Despite budget constraints, the courts have expanded the advertisement of vacancies arising among court staffs. There has also been a continued emphasis on in-house training and cross-training of court personnel, both as a widely accepted element of sound personnel management and as a means for developing the advancement potential of women and minorities into higher levels of court management.

Budgetary constraints, however, did impose limitations on the results which the courts could expect to accomplish during the year just ended. Uncertainties as to the amount of funding that would be available for court personnel continued throughout most of the year. Accordingly, vacancies were left unfilled in many instances, and court personnel were required to devote far more of their time to the actual processing of cases with less time available for developing improvements in personnel management practices or otherwise implementing the equal employment opportunity program. In addition, similar budgetary problems affected the amount of support that could be provided by the A.O. and the F.J.C. to court officials confronted with the problems inevitably involved when a new program of such comprehensive scope is introduced.

During the year the courts' reports and evaluations of the program's first year of operations were reviewed and published. Considerable staff time was devoted to this project both in the several courts and in the A.O. Generally, the courts' first reports indicated that the Federal courts have complied with the equal employment opportunity program. The general national data which has become available is encouraging not only in terms of raw numerical totals but also in terms of the stated desires to continue to improve and to consolidate the achievements already made.

REPORT OF COMPLAINTS FILED AND ACTION TAKEN UNDER TITLE 28 U.S.C. SECTION 372(e)

The <u>Judicial Councils Reform and Judicial Conduct and Disability Act of 1980</u> (Public Law 96-458) requires that the Director of the A.O. include in the Assual Report a summary of the number of complaints filed under Title 28 U.S.C. Section 372(c), as amended by the Act, indicating the general nature of the complaints and the disposition of those complaints. Since the Act became effective on October 1, 1981, this first report covers the nine month period ended June 30, 1982.

During the nine month period covered by this report, there were 89 complaints filed with clerks of court. There were 56 aliegations of conduct prejudicial to the effective and expeditious administration of the courts; one allegation that a judicial official was unable to discharge all duties of the office by reason of physical disability; 45 allegations not within Section 372 jurisdiction; and no allegations of mental disability. The 89 complaints included allegations against 51 courts of appeals judges, 75 district court judges, 8 national court judges, 9 bankruptcy judges, 11 magistrates, and 14 others. The number of allegations and number of officials involved exceed the number of complaints because some complaints contain more than one allegation and name more than one judicial official.

There were 78 complaints concluded during the nine month period. All, except 11, were disposed of by chief judges as not in conformity with filing requirements under Title 28 U.S.C. Section 372(c)(1), directly related to the merits of a decision, frivolous, or because the chief judge found that appropriate action had already been taken. The remaining 11 were disposed of by judicial councils with 10 being dismissed and 1 disposed of under Title 28 U.S.C. Section 372(c)(6)(B)(iii), requesting voluntary retirement. There were no referrals to the Judicial Conference.

There were 11 complaints pending at the end of the year. Seven involved allegations against district judges, two against bankruptcy judges and two against magistrates.

Table 30 contains a summary of the complaints filed, disposed of, and pending for each circuit and each of the national courts.

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Footnotes for Table 38

- Not in conformity with requirements of Title 28 U.S.C. 372(c)(1): a brief written statement filed with clerk of court of appeals alleging conduct prejudicial to the effective and expeditious administration of the business of the courts, or alleging inability to discharge all the duties of office by reason of mental or physical disability.
- Directly related to the merits of a decision or procedural ruling.
- 3 Privolous.
- 4 Appropriate corrective action has been taken.
- Directing the chief judge of the district to take appropriate action with regard to a magistrate who is the subject of a complaint.
- 6 Certifying disability of an Article III judge.
- Requesting the voluntary retirement of an Article III judge, with the provision that the length of service requirements under Title 28 U.S.C. Section 371 shall not apply.
- Ordering that no further cases be assigned for a temporary or time-certain period.
- Censuring or reprimending by means of private communication.
- 10 Censuring or reprimanding by means of public announcement.
- Ordering such other action as is deemed appropriate to assure the effective and expeditious administration of the business of the courts within the circuit, but not dismissals.
- Dismissals affirming a chief judge's final order, or pursuant to petition for review, or based upon an independent council decision.
- Discretionary referral to the Judicial Conference.
- Mandatory referral to the Judicial Conference upon a finding that an Article III judge has engaged in conduct that might constitute a ground for impeachment.
- Mandatory referral to the Judicial Conference upon a finding that an Article III judge has engaged in conduct which is not amenable to resolution by the Judicial Council.

OF THE WORKLOAD OF THE FEDERAL COURTS

FOR THE

TWELVE MONTH PERIOD ENDED

JUNE 30, 1982

The statistical analysis of the workload of the Federal judiciary which appears in this chapter was prepared by the Statistical Analysis and Reports Division. Appendix tables for the courts of appeals, civil, criminal, bankruptcy, and probation statistics were computer generated by the Systems Services Division.

POREWORD

The Administrative Office has i sen producing statistics on the workload of the U.S. courts for 43 years. The system of data collection has changed from handwritten presentations to highly sophisticated data entry systems. There are now automated programs which make it possible for some courts to generate the required statistical data as a by product of the docketing process without the need to manually fill out forms and mail them to the Administrative Office. Yet with these advances in collection procedures, the readers will find the data presentation unaffected and the information comparable to other years.

These improvements have been made possible by the new computer technology, however the need for quality control of data continues. The clerks of court and other court officials providing information on the work of the court are to be commended for their efforts in making certain that the statistical data they provide is consistent with national reporting instructions and procedures dictated by new technology.

Publications

The A.O. publishes several reports for the use of the judiciary, Coxgress, and other Federal agencies. The following is a list of the reports and the year they commenced. All reports are for the year ended June 30, unless otherwise noted and most are published several weeks following the closing of the reporting period.

- Armuel Report of the Director, 1940
- (Quarterly Reports), 1940 through 1971, (Revitalized as Federal Audicial Workland Statistics, 1977)
- Federal Offenders, 1963
- Persons Under the Supervision of the Federal Probation System, 1962 through 1968
- Court Management Statistics, 1970
- Jurer Utilisation, 1971
- Pictorial Summery, 1973
- Speedy Trial Report, 1976 through 1981 (Now included in the Annual Report)
- Report on Wiretage (Calendar year report) 1968
- The Right to Financial Privacy Act (Calendar year report) 1979
- Equal Access to Justice Act 1982 (Included in the Annual Report)

Because the Annual Reports of the Director are almost out of print, the appendix tables for four program areas have been reprinted in single volumes for the years 1970 through 1979. The volumes are:

- U.S. Court of Appeals Workload Statistics for Decade of the 1970's, 1970 through 1979
- U.S. District Courts Civil and Trials, 1970 through 1979

 U.S. District Courts - Oriminal Cases and Defendants, 1970 through 1979

U.S. Reskriptey Courts - Buskriptey Statistics, 1970 through

1979

Sentences Imposed Chart Buck

Not listed above is the Sentences Imposed Chart which for the first time this year, will be available for public use. This book, developed in response to requirements for national sentencing patterns, contains a summary of sentences imposed for each title and section of the e-iminal code. Prior to this year, this report was made available only to U.S. probation officers who prepare presentence investigations for defendants convicted in U.S. district courts. The report for the year ended June 30, 1981 was placed on sale by the Government Printing Office in August 1982.

Civil Citation Monail

To improve the collection and classification process of civil Stigation in the U.S. district courts, a two-volume set of Civil Citation Manuals was prepared this year. For the first time clerks of court, as well as counsel filing cases in the U.S. district courts, have a list of all civil citations together with the appropriate nature of suit codes for classifying the cases. This provides useful information and is comparable to the Orinizal Officers Citation Manuals initiated in 1976 and now in its third printing.

betrue tique

The continued improvement in the quality of statistics results from the standardination of statistical instructions provided to the reporting officials in the Statistical Analysis Monual, Volume XI, Quide to Addiciary Policies and Procedures. These instructions have been improved by the staff of the Statistical Analysis and Reports Division (S.A.R.D.) with substantial emistance from the reporting officials principally, clerks of court, U.S. probation officers, and Federal policies or community defenders.

Statistical Review

In response to Congressional concerns about statistics collected by the A.O. which appeared in the U.S. House of Representatives appropriations statement for fiscal year 1982, S.A.R.D. has implemented an exhaustive review of the appeals and civil reporting programs, as well as the statistics produced in the appendix tables of the Armail Report of the Director. Interim reports on this review have been made to the Subcommittee on Judicial Statistics of the Judicial Conference Committee on Court Administration. As a result of the findings of the studies, the Subcommittee has approved the elimination of two court of appeals reporting forms beginning July 1, 1982, the reduction of detailed statistics for the criminal defendant tables, and

other modifications which will reduce the volume of statistics appearing in this Assual Report.

In a further effort to improve the legibility of the figures appearing in the statistical tables, standard postal abbreviations are used to identify the district courts. The following page lists the designated chireviations.

U.S. District Court for the Canal Zone Closed

The Act of August 24, 1912¹, created a U.S. district court for the District of the Canal Zone, with divisions in Balbon and Cristobal, and a single district court judgeship position. For almost 79 years, this court heard civil and criminal controversies originating in the Canal Zone, until its official closing on March 31, 1982. The closing of this territorial court was mandated by the Panama Canal Treaty of 1977 and codified by the Panama Canal Act of 1979. During the transition period provided for by the Article XI of the Treaty, the filing of new cases in this U.S. district court was restricted so that after October 1, 1979, only criminal informations could be filled in the court.

Beginning in 1965, the A.O. began collecting civil and criminal workload statistics of this court. Nearly all of the cases filed in this territorial court involved controversies based on local law. Beginning in the 1970's, however, there was an increasing number of civil tort and contract actions based on Federal question jurisdiction and larger numbers of criminal violations of Federal drug, burglary, and larceny laws.

The following table presents filing and termination data for selected years since 1940. This data has been obtained from the Appendix Tubles C-1 and D-1 of the Assual Reports of the Director, 1940 through 1982. With the closing of the Canal Zone District Court, the number of U.S. district courts in 94.

Core breion

Last year, it was noted that judicial statistics is a growth industry because the workload of the courts continues to escalate. The proper measurement of the Federal Judiciary workload is an important task. More and more statistics translate into resources, personnel, space, equipment, and programs for court management. In the end, judicial statistics provide the public a report card on the health of the Federal judiciary. The Director is most appreciative to all of those who contribute in this statistical effort.

Enabling legislation, Act of August 24, 1912, Public Law No. 62-337, Section 8, 37 Stat 565 (1912).

Panama Canal Act of 1979, Public Law No. 96-75, Section 2, September 27, 1979, 53 Stat 455.

Attendation for Agency Takes

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c7	Convertient	AR, W	Arkemen, Eartern Arkemen, Reviern Iowa, Rorthern
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DE	Drinners	** Ch	Fire Crest
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B	Percesses, Wolfe Percesses, Wolfars		and an extension



Table A U.S. District Court District of the Canal Zone Civil and Criminal Cases Filed and Terminated Five Year Intervals from 1940 through 1970 And Annually 1971 through 1982

	C	mmen	ced	T	ermine	ted
Year	Total	Civ-	Crim- inal	Total	Civ-	Crim inel
1940	484	368	116	470	360	110
1945	686	478	208	670	464	204
1950	487	368	119	510	403	107
1955	508	400	108	404	390	114
1960	402	305	97	384	280	104
1965	403	318	85	370	290	80
1970	471	343	128	342	326	116
1971	547	360	187	493	343	150
1972	713	417	296	583	365	218
1973	695	400	295	749	364	385
1974	749	365	384	761	383	378
1975	975	566	409	838	444	394
1976	847	524	323	825	490	325
1977	903	601	302	812	530	282
1978	891	566	325	822	547	275
1979	801	535	279	678	422	256
1980	384	306	78	729	680	149
1981	20	7	13	280	262	18
1982*	18	2	16	91	61	30

Court officially closed March 31, 1982.

INTRODUCTION

Establishment of the Eleventh Circuit

With the passage of the Fifth Circuit Court of Appeals Reorganization Act of 1980 (Public Law 96-452, effective October 1, 1981), the Fifth Circuit was reorganized into two circuits - the new Fifth Circuit and the Eleventh Circuit. The Fifth Circuit is now composed of the districts in Louisiana, Mississippi, Texas, and the Canal Zone (this district court officially closed on March 31, 1982, pursuant to the Panama Canal Act of 1979, P.L. 95-70, signed September 27, 1979). The Eleventh Circuit is composed of the districts in the states of Alabama, Fiorida, and Georgia. On October 1, 1981, the Court of Appeals for the Eleventh Circuit, located in Atlanta, Georgia, officially began operations, handling a workload of administrative appeals and appeals of U.S. court decisions from the states within its jurisdictional boundaries.

In this report, statistics on the caseload of the U.S. courts of appeals, U.S. district courts, and U.S. bankruptcy courts reflect this reorganization as though it were in effect for the entire twelve month period ended June 30, 1982. Data for each district court and bankruptcy court affected are fully comparable to data of prior periods. Courts of appeals statistics are also reflected as if the reorganization was in effect the entire period. Only civil and criminal appeals, however, are directly comparable to figures for earlier years. Because original proceedings and administrative agency appeals could not be readily differentiated according to origin, prior to July 1, 1980, revision of the historical data on these matters has been approximated based on information provided by the circuits and other available material.

U.S. COURTS OF APPEALS

Summery of Workland

The number of appeals filed and terminated in the U.S. courts of appeals continued to grow to record levels during the twelve month period ended June 30, 1982. A total of 27,946 appeals were filed in the U.S. courts of appeals, a rise of 6.0 percent over the 26,362 appeals filed in 1981. Appeals terminations grew a substantial 11.5 percent during the past twelve months, up from 25,066 appeals in 1981 to 27,984 appeals in 1982. For the first time since 1958, the U.S. courts of appeals were able to reduce the number of appeals pending on their general dockets at the end of this twelve month period. As of June 30, 1982, a total of 21,510 appeals were pending in all the circuit courts, down 0.2 percent from the 21,548 appeals pending in 1981. Table 1 provides a summary of the workload in the U.S. courts of appeals during each of the twelve month periods ended June 30, 1960, 1965, 1970, and 1975 through 1982.

Table 1
U.S. Courts of Appends
Appends Filed, Terminated, and Funding
During the Twelve Manth Fertinds Ended
Jame 28, 1960, 1963, 1879, and

_	2010		-	
Year	Number of Judgestigs as of June 30	Filed	Termi- nated	700
1960 1963 1970 1973	71	1,800 6,766 11,842 14,858	3,713 3,771 10,600 14,600	1,230 4,775 6,813 11,130
1974 1977 1978	97 97 97 132	18,400 18,118 18,518 20,210	16,426 17,784 17,714 18,928	14,110 15,444 16,640 17,800
1980 1981 1982	1.312 1.312 1.312	23,300 26,362 27,866	215,561 215,561 27,584	28,252 21,549 21,519
Ferent Ct 1982 Over 1977 1981		4.2	57.4 11.8	39.3 4.1

Table 2 is a comparison, by circuit, of the appellate workload during the twelve month periods ended June 30, 1981 and 1982. Appendix Tables B-1, B-1A, B-2, B-3, B-3A, B-4, and B-7 provide additional data on the activities of the U.S. courts of appeals during 1982.

Table 2

U.S. Courts of Appeals

Appeals Commenced, Terminated, and Pending, by Carasit

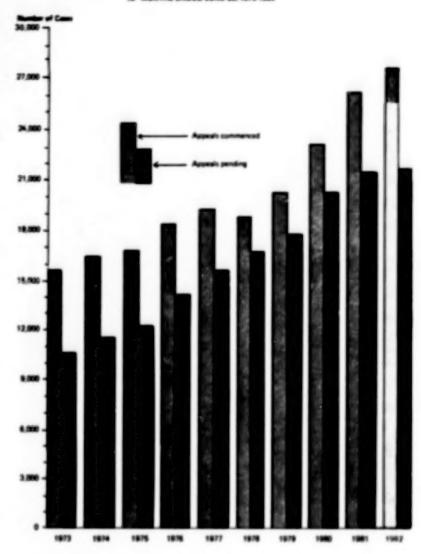
bring the Twelve Nunth Persons Ended June 26, 1981 and 1982

		Filings			er minut	-	Feeding			
Circuit	1001	1983	Charge	1961	1962	Percent Change	1901	1903	Percen Change	
Teal	26,362	27,946		25,000	27,584	11.4	21,548	21,500	41	
District of										
Corlumbia	1,804	LAST	44	1,556	1.454				-49.4	
First	903	1,046	114.3	839	981	***	- 480	1,000	484	
	3,861	1,617	4.6	2.000	2.510	-11.0	***	1.000	11.5	
Ned	2,813	2,190	**	1,000	1,254	29.4	1,429	1,450	44	
Forth	3,347	2.651		LIB	2.070					
da.	2,515	8,715			3,772	5.0	1,750	1,730	44	
inth	2,776	2,599	9.4	2,460	1,655	23.4	1,461	1,210	4.4	
**************************************	2,000	2,450	5.5	1,243	2,450	27.4	1,005	1,715	43	
mm	1,368	1.500	16.7	1,344		***	-	-		
M	1,368	4.798	3.0	4,536	4.490			1.536	1.0	
mm	1,577	1,794	13.4	1,344	1.012		4,544	1,230	44	
breedh*	1,200	1,554	8.6	2,114	1.000	44	1,433	2,050	144	

For comparison purposes, data in reflected as if the Fifth Cornell Court of Aspects Assessmentson Act of 1988 wen in effect during the antire 1961 and 1965 statistics) years. The Equires have been approximated based on information provided by the counts

APPEALS COMMENCED AND PENDING

12 MONTHS ENDED AME 30, 1873-1982



Filings Rose 6.8 Percent

During the twelve month period ended June 30, 1982, 10 of the 12 circuit courts recorded increases in their filing activity. Overall, the number of new appeals filed in the U.S. courts of appeals grew 6.0 percent to 27,946 cases. The largest growth was reported in the Fourth Circuit, up 18.0 percent from 2,247 cases in 1981 to 2,651 cases in 1982. A sizable portion of the Fourth Circuit's increase can be attributed to a 54.3 percent rise in new criminal filings during the year. Substantial increases in filing activity were also reflected in the Eighth Circuit (up 16.7 percent); the First Circuit (up 15.3 percent); and the Tenth Circuit (up 13.1 percent).

The two circuits that experienced decreases in case filings during the year were the District of Columbia Circuit and the Second Circuit, down 9.8 percent and 7.6 percent, respectively. For the District of Columbia Circuit, the most significant decline in new filings occurred in administrative agency appeals (down 40.8 percent); whereas for the Second Circuit, the most significant declines occurred in bank-ruptcy appeals (down 36.4 percent) and U.S. civil appeals other than prisoner petitions (down 24.7 percent).

Among the various types of appeals, increases in the number of new case filings during the year were recorded in seven of the eight categories. The largest growth was shown in private prisoner petition appeals, rising 15.1 percent from 3,156 cases in 1981 to 3,631 cases in 1982. The Fourth Circuit contributed the most to this category of appeals, comprising 23.5 percent of this year's total private prisoner petition filings. Increased filing activity was also noted in U.S. civil appeals other than prisoner petitions (up 14.0 percent) and bankruptcy appeals (up 9.5 percent). Administrative agency appeals, the category which showed the largest growth in 1981, was the only type to experience a decrease during the year. These appeals dropped a sizable 17.9 percent in the past twelve months, from 3,800 cases in 1981 to 3,118 cases in 1982.

Reviews of Administrative Agency Cases

Reviews of administrative agency cases in the U.S. courts of appeals declined during the year, dropping 17.9 percent from 3,800 cases in 1981 to 3,118 cases in 1982. As a percent of the total appellate workload, these cases comprised only 11.2 percent of the overall case filings, down from 14.4 percent in 1981. This year's 11.2 percentage is the lowest recorded since 1973, when administrative agency appeals accounted for 10.3 percent of the total case filings. During 1982, the largest number of administrative agency filings was recorded in the Ninth Circuit (638 cases) and the District of Columbia Circuit (504 cases). These two circuits alone accounted for over one-third of the total administrative agency cases filed. The greatest volume of appeals came from decisions of the National Labor Relations Board, which accounted for 26.9 percent of all administrative agency cases filed. Appeals from this agency declined significantly during the year, however, dropping 27.2 percent from 1,151 cases in 1981 to 838 cases in 1982. Other agencies with comparatively large numbers of decisions appealed were the U.S. Tax Court (404 cases); the interstate Commerce Commission (362 cases); and the Immigration and Naturalization Service (349 cases). Table 3 provides a summary, by circuit, of the number of appeals of decisions from each administrative agency during the twelve month period ended June 30, 1982.

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Types of Appeals from the District Courts

During the twelve month period ended June 30, 1982, appeals from the U.S. district courts accounted for 84.3 percent of the total appellate filing activity. A total of 23,551 appeals arose from the U.S. district courts, an increase of 10.1 percent over the 21,391 appeals in 1981. In 1982, both the civil and criminal categories experienced growth in the number of new appeals filed, up 10.4 percent and 8.9 percent, respectively. For civil appeals, the largest increases occurred in U.S. plaintiff civil rights cases (104.3 percent) and U.S. plaintiff contract actions (65.5 percent). In criminal appeals, the most substantial rises were in weapons and firearms (48.7 percent) and homicide cases (21.8 percent).

The biggest declines of new appeals took place in U.S. defendant contract actions (30.2 percent) and Federal prisoner motions to vacate sentence (21.8 percent) among civil appeals, and in immigration (13.2 percent) and larceny and theft (12.0 percent) among criminal appeals.

Of all the new appeals arising from the U.S. district courts during 1982, 15A percent involved petitions filed by state and local prisoners. This represents an increase of 15.1 percent over the 3,156 private prisoner petitions filed in 1981. Private prisoner petitions now account for 13.0 percent of the total filings in the U.S. courts of appeals. The majority of the private prisoner petitions were located in the Fourth Circuit, with 23.5 percent of the total petitions filed nationwide. Of all appeals filed in the Fourth Circuit, private prisoner petitions comprised 32.3 percent of that circuit's new filing activity for 1982. Among the remaining 11 circuits, private prisoner petitions as a percent of the total circuit filings ranged from 17.0 percent in the Sixth Circuit to 0.5 percent in the District of Columbia Circuit.

In 1982, a total of 23,145 appeals were terminated that originated from decisions of the U.S. district courts. This amount represents an increase of 12.7 percent over the 20,540 appeals terminated last year. These civil and criminal dispositions accounted for 82.7 percent of the total appellate terminations for 1982 as compared to 81.9 percent for 1981. During the year, both categories of appeals reflected increases in the number of terminations, with civil dispositions rising the most at 13.9 percent and criminal dispositions rising a smaller 7.9 percent. The most significant civil growth was reported in appeals of Federal prisoner civil rights cases (83.1 percent); U.S. plaintiff real property actions (35.5 percent); and private prisoner petitions (35.5 percent). In the criminal area, the greatest increases were noted in appeals of homicide (33.3 percent); embezzlement and fraud (18.9 percent); and robbery and burglary (17.7 percent).

The most significant civil decline occurred in appeals of U.S. defendant contract actions (40.9 percent). Among criminal appeals, the largest decreases were reported in forgery and counterfeiting (17.7 percent) and assault (16.5 percent). Table 4 is a comparison of appeals filed and terminated from the U.S. district courts during the twelve month periods ended June 30, 1981 and 1982. Appendix Tables B-1A and B-7 provide additional data on appeals from the district courts.

Table 6 G.S. Charty of Appends Spines of Salt or Offices of Appends Street the U.S. Datriet Charts Filled and Terminated in the U.S. Charts of Appends

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		Films		1	-	
			Person			-
Nature of Bull or Offices	186	1981	Change	1861	1002	Charge
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-						
•	21,201	23,861	98.2	20,000	D.J.	12.7
Nel Col Com	17.014	18,794	28.4	16.346		
	01,000	-	-	100	HAR	13.0
U -C=	1,000	8,517	11.2	140	1,000	8.7
			-	-	_	-
GA. Paintill	100	-	15.7	-	-	18.0
Contract Action	-	-		-	_	
Red Property Artisas	161	140	14			m.,
Cod Repo	- 67		101.3		- 73	14
	- 43		84		-	
		179	10.4		179	414
All Com	-	-	44	-	348	16.7
E.S. Subsectives	4,040					
C.S. Defendant	4,000	4,010	18.0	4,063	4,004	**
Contract Actions	918	100	-82	-		-
Real Property Actions	- 81	63	1.8	74	-	24.3
Tot Action	285	*63	18.2	me	-	15.0
Civil Reptil	-	618	21.0	487	100	89.4
Printer Petitions Metions to Vacata						
		-				
Reference Company	344	-	11.3	=	-	M.
Printer Civil Rights	234	601 134		- 12	- 22	84
Other Prinseer Published	110	158	31.4		-	44
Social Security Laws	943	orne.	21.3	=	794	18.4
Tel 1000	230	246	1.0	254	207	44
Coveramental Nation	=	100	36.3	100	76	41.0
Freedom of Information Act		#T5		1.50	111	45.4
All Other	786	***	11.6	100	***	5.0
N=== C==	12,074	13,267	**	11,387	13,219	15.0
Pateral Question	1,000	8,594	25.0	8,307	1,010	18.0
				-	~~	***
Combact Actions	387	975	BLA	813	200	44
Tel Artis	981		8.8	. 888	817	8.40
Coel Report	5,547	3,767	2.0	2,374	1,744	144
Primare Petitions	-		43	***	474	35.4
Material Company	1,056	1,579	DLA	1,005	1,473	25.0
Princer Clark Barbar	1,450	1,010	10.4	1,050	1,146	35.4
Other Prisoner Petitions	-	63	34.8		74	95.0
Copyrights, Patent and		794	21.4	***	-	1.0
Fred 844	284	434	18.0	817	-	
Securities, Commodities,				-	_	
	-	985	1.0	883	200	18.4
Constitutionality of Fluids						
41 000	994	987		888		4.0
Al 0	•		19.4	***	-	48.5
Diseasely of Citizensky	1,000	8,817	8.0	1,000	3,474	
				-		
Combact Actions	1.015	1,000	44	1.711	1.041	7.0
Tel Action	1,000	1,200	ma	1,000	1,744	3.4
41 000	-	-	*4	100	186	68.5
General Local Actaidetion		54	414	-	-	
**** O === 1	4,077	4,767	8.9	N/HI	4,800	1.0
	81	-	814			mJ
Amed	21	74	7.7	-	- 7	44.5
Rottery and Burg lary	394	360	19.4	877	224	12.7
	334	385	41.0	-	-	18.6
Interest and Freed		918	14	774	-	18.0
Acts Theft	**	-	43		**	
Control Act	1,563	1,000	14	1.000	1,479	4.5
fatorion, fasternering and				-	-	-
70.000 **********************		198	18.6	986	199	44
	100	100	48.7	587	194	3.0
Company and Communicating	104	120	18.5	-	104	41.5
All Com.	-	673	414	***	-	11.0
						-

Dispositions Up 11.4 Percent

Total appellate dispositions rose 11.5 percent during the twelve month period ended June 30, 1982, with 10 of the 12 circuit courts reporting increases in termination activity. The largest growth took place in the Tenth Circuit, where case dispositions increased 61.7 percent to 2,812 appeals. Part of this dramatic growth can be attributed to two large groups of criminal appeals. Each group of appeals, which arose from the District Court of Colorado, was consolidated in the Tenth Circuit for the purposes of oral argument and final disposition. Of the remaining nine circuits with increases, five recorded increases greater than 20.5 percent. These courts were the Eighth Circuit (up 27.5 percent); the Fourth Circuit (up 25.5 percent); the Sixth Circuit (up 23.1 percent); the Seventh Circuit (up 22.2 percent); and the Third Circuit (up 20.4 percent).

Two appellate courts had declines in terminations during the year. These were the Second and Ninth Circuits, where case dispositions dropped 16.0 percent and 0.8 percent, respectively. In the Second Circuit, declines in case terminations were shown in five of the eight categories of appeals, with the largest decreases occurring in non-prisoner U.S. civil appeals (36.7 percent) and non-prisoner private civil appeals (20.5 percent). For the Ninth Circuit, the most significant decline in terminations was reported in bankruptcy appeals, down 31.3 percent from last year.

Cases Disposed of After Oral Hearing or Submission on Briefs

During the twelve month period ended June 30, 1982, a total of 12,720 cases were disposed of after oral hearing or submission on briefs, an increase of 4.5 percent over the 12,168 cases reported in 1981. Of all the 1982 case dispositions, 45.5 percent were terminated by this method, a decrease from the 48.5 percent recorded last year. Cases terminated without oral hearing or submission on briefs (excluding consolidations) increased 18.2 percent during the past twelve months, up from 9,360 cases in 1981 to 11,060 cases in 1982. As a percent of the total terminations, these cases grew to 39.5 percent, up from the 37.3 percent recorded last year. The number of cases terminated by consolidation increased from 3,538 in 1981 to 4,204 in 1982, a rise of 18.8 percent. During the year, the percentage of consolidations to total case dispositions increased slightly from 14.1 percent in 1981 to 15.0 percent in 1982.

In 1982, the overall rate of reversals in cases disposed of after oral hearing or submission on briefs decreased slightly to 16.1 percent. Of these reversals, the largest numbers occurred in non-prisoner private civil appeals (879) and non-prisoner U.S. civil appeals (413). These two types of appeals comprised over 60 percent of the total reversals for this twelve month period. The category of appeals showing the highest rate of reversal was bankruptcy appeals, with 23.1 percent of the cases being reversed during the year. Oriminal appeals posted the lowest yearly reversal rate at 9.7 percent. Appendix Table B-1 provides more detailed data on the appellate caseload in 1982.

Median Time Intervals Drop

For cases disposed of after oral hearing or submission on briefs during 1982, the median time interval from filing of the complete record to final disposition was 8.3 months. This represents a modest decrease from the 9.3 months reported in 1981. Among individual circuits, the median time ranged from a high of 13.7 months in the Sixth Circuit to a low of 4.2 months in the Second Circuit. The overall median time from filing a case in the lower court to final disposition in the appellate court was 25.7 months. This represents a slight drop from the 26.4 month median reflected a year ago. Among the 12 circuits, the median time ranged from 29.5 months in the Ninth Circuit to 17.5 months in the Second Circuit. Appendix Table B-4 provides additional data on median time intervals, by case type, for individual circuits.

Opinious and Memoranda

During 1982, signed opinions and other papers (including percuriam opinions, memorandum decisions, and decisions from the bench), which set forth reasons for a decision, accompanied 85.9 percent of the cases disposed of after oral hearing or submission on briefs. This figure represents a slight increase from the 85.8 percent recorded in 1981. Table 5 is a summary of the opinions and other papers filed, by circuit, during the twelve month period ended June 30, 1982.

Status S U.S. Courts of Appendix Opinious and Other Papers Filed in Court Septemb Of Saving the Teacher March Percent Ended Jone 38, 1963

Total Cases Terror- Cases Carealt sected delice			tel .	Total Comm Terral- cented					After After Street	cont of Clear log or on Streets	
	Commit-	Commit- de tions	Total	Res- used*	Other	Total	Append Opinions	(Insugrand Opinions	(Hite		
1	27,004	4,584	81,780	11,643	1,874	9,088	15,730	1,941	1,000	1,791	
Energet of Cotombia Ford Road	8,818	E	1,356 733 1,351 1,671	1,713		814 236 1,149	916 377 1,098 1,098	991 993 348 341	111	181 87 774	
	1,771	=	1,311 1,344 1,446 1,786	1,545 616 1,716 886	1,007 67 613 513	678 791 746 816	766 1,366 1,360 907	314 604 147 383	634 1,459 1,459	114 114 19	
	6,698	-	1,398 3,690 1,760 1,750	1,805 1,805 745 634	:	1,614 654 661	1,817 1,817 1,617		1,000 433 431	100	

^{*} betake man reported on the Al-S1 extening report on "Signed" or "Uniques" spinions.

Pending Appeals Drop for the Pirst Time Since 1958

During the past twelve months, the number of terminations exceeded the number of new fillings in the U.S. courts of appeals. This caused the pending appellate caseload to decrease 0.2 percent, from 21,548 cases in 1981 to 21,510 cases in 1982. Seven of the twelve circuit courts were able to reduce the number of appeals pending on their general dockets during the year. The most substantial decreases in pending caseload were noted in the Tenth Circuit (down 14.0 percent) and the District of Columbia Circuit (down 13.1 percent). The rate of decline for the other five circuits experiencing decreases ranged from a high of 4.5 percent in the Third Circuit to a low of 1.2 percent in both the Fourth and Fifth Circuits.

Despite the overall drop in pending appeals, five circuit courts reported increases in their pending caseloads during the year. The largest growth occurred in the Second Circuit, up 44.4 percent to 1,005 cases. This increase resulted largely from a 16.0 percent drop in termination activity during the past twelve months.

The number of cases pending more than one year in the U.S. courts of appeals represented 23.1 percent of the total appellate caseload for 1982. The circuits having the highest percent of cases pending on their dockets for more than one year were the District of Columbia Circuit (36.4 percent); the Tenth Circuit (32.7 percent); the Ninth Circuit (29.2 percent); and the Sixth Circuit (27.2 percent). The circuits with the smallest percent of appeals pending for that length of time were the Second and Eighth Circuits, at 4.1 percent and 4.7 percent, respectively. Table 6 provides a comparison of appeals pending, by circuit and length of time pending, as of June 30, 1982.

Table 9
U.S. Courts of Aspects
Agencie Pending, By Circuit and Longit of Yone Pending,
As of June 36, 199)

				megis of	time Pend		
Complete	Total	I to 3 Manches	4 to 5 Marring	T to T Named by	18 to 12 Marriting	Create One Russbar	Person
Total	21,818	6,075	4,459	1,010	1,410	4,875	29.4
District of Columbia	1,00	P1 2 188 180 180	997 988 989 975	72	111	100	9.4 9.4 4.5
70 100	5,798 8,818 8,487 1,718		60 67 77	E		=	91.4 91.4 97.4
grich rech. sech	195 1,796 1,460 1,666	199 L,698 198 731	971 0 0001 9790 945	179	89 893 171 888	1,207	4.7 Pl.4 19.7

Oral Hearings and Submissions on Briefs

During the twelve more; period ended June 35, 1982, the number of oral hearings in the U. nourts of appeals continued to grow for the fourth consecutive year. Ital of 8,822 hearings were conducted during the year, up 1.1 percent from the 8,511 hearings conducted in 1981. While this total represents the largest amount of hearings recorded in a ningle year, the overall rate of increase was the smallest since 1978. Eight of the twelve circuit courts registered increases in oral hearings during 1982, with the largest growth occurring in the Eighth Circuit (up 14.2 percent). Other notable increases were reported in the District of Columbia Circuit (up 9.5 percent); the First Circuit (up 8.7 percent); and the Third Circuit (up 7.6 percent).

Four circuit courts experienced reductions in the number of oral hearings conducted during the year. These circuits were the Eleventh Circuit (down 13.5 percent); the Tenth Circuit (down 8.1 percent); the Sixth Circuit (down 6.1 percent); and the Fifth Circuit (down 4.1 percent). Table 7 is a comparison, by circuit, of the number of oral hearings conducted in the U.S. courts of appeals during each of the twelve month periods ended June 38, 1975 through 1982.

Table 7
EUS. Courts of Appeals
Trent, of One Hearings
During the Twelve Month /verials Ended June 36, 1975 through 1981

Circuit	1975	1976	1977	1976	1979	1780	1001	1963	Charge 1902/ 1903
Total	5,894	6,100	6,276	6,000	6,358	7,869	8,811	1,800	1.4
District of									
Columbia	603	380	435	386	63.6	671	316	561	9.0
First	197	991 917	284	243	954	234	200	334	0.7
Second	772	817	804	796	863	887	672	904	3.0
Dard	408	421	404	417	972	440	458	493	7.6
farth	454	563	587	450	540	817	648	680	1.0
Fifth	790	801	863	852	798	1,414	778*	744	-4.1
MM	679	813	878	600	60.6	788	1,040	979	-6.5
Seventh	668	626	639	888	791	714	718	715	8.7
	445	451	410	425	404	435	678	144	14.2
Minth	800	950	842	827		1,100	1,597	1,004	5.4
Twenth	367	31.9	200	287	31.0	884	380	39.0	4.4
Decemb							732*	633	414

For comparison purposes, data is reflected as if the Fifth Circuit Court of Appeals Reorganization Act of 1980 was in effect during the 1981 statistical year. The figures have been approximated based on information provided by the circuits.

In 1982, the number of cases submitted on briefs in the U.S. courts of appeals increased ?.A percent to 3,725 cases. Of these submissions, only 6 were considered on bane as appealed to 1? in 1981. En bane oral hearings rose moderately during the past twelve months, from 52 cases in 1981 to 68 cases in 1982. Table 8 provides the number

of oral hearings and submissions on briefs, by circuit, in the U.S. courts of appeals during the twelve month period ended June 30, 1982.

Table 8
U.S. Courts of Appeals
Onel Hearings and Sub-missions on Bris-Is
During the Twelve Heath Period Ended June 26, 1982

		On	d Bear	rings	Non	Briefs	
Circuit	Total	Total	En Bune	Panel	Total	Br .	Punel
Total	12,327	8,800	68	8,534	3,725		3,719
District of Columbia	617	567		562			**
First	438	324 904		324	126		126
Second	1,319		8	MES	213		213
Died	1,890	483	•	489	599	3	596
Fourth	791	880		652			-
Fd:0	1,472	744	21	733	728		222
Sixth	1,522	979	3	976	343	i	347
Seventh	931	715	7	708	216		727 342 214
Digita	843	544		539	***		-
Ninth	1,852	1,684		1.675	248		555
Tenth	767	251		341	616		286 288 616
Deventh	1,859	633	88	822	626	3	423

Case Participations by Resident, Senior, and Visiting Judges

Case participations represent involvement in cases that are orally argued or submitted on briefs before panels of Federal judges in the U.S. courts of appeals. During the past twelve months, the number of case participations by Federal judges in the U.S. courts of appeals increased slightly to 37,396, a rise of 2.1 percent over the 38,829 participations recorded in 1981. Resident active circuit judges participated in 77.7 percent of the total participations for the year, down from the 78.8 percent recorded in 1981. The circuits reporting the most extensive use of resident active judges in relation to total circuit participations were the Fifth Circuit (89.5 percent) and the Tenth Circuit (89.3 percent). Participations by resident senior circuit judges grew to 9.9 percent of the total case participations for 1982. Of all the circuit courts, the Second Circuit relied the heaviest on the services of their resident senior judges during the year. These judges accounted for 22.9 percent of the Second Circuit's total case participations for 1982.

Total case participations by visiting judges decreased slightly during the past twelve months, dropping from 13.5 percent in 1981 to 12.3 percent in 1982. As a percent of total circuit participations, the Seventh Circuit and the Ninth Circuit reported the greatest use of visiting judges during the year at 18.5 percent and 17.4 percent, respectively. Visiting judges were used the least in the Fifth Circuit (2.5)

percent); the Tenth Circuit (5.4 percent); and the Fourth Circuit (6.1 percent). Table 9 provides a summary of the respective activity of resident active, senior, and visiting judges in the U.S. courts of appeals during the twelve month period ended June 30, 1982.

Table 9
U.S. Courts of Appeals
Tetal Case Farticipations on Cases Salomitted on Briefs or Grailly Arqued
Daring the Twelve North Period Ended Appe 35, 1982

			O.	se Pertic	ipetions	-			
		Resident	Active	Residen	Senior Judges	Visit And	ing pai	Percent by	
Circuit	Total	Ren- ter	Per-	Rym- ter	Per-	Num- ber	Per-	Visiting Judges	
Total	27,296	29,075	ms	3,795	**	4,816	113	na	
District of		1.414							
First	1,313	1,040	73.4	67	- 55	214	16.7 16.3 16.2	13.4	
Second		1,041		767	22.5	142	10.0	20.4	
Third	3,350 3,304	1,600	7.3	761	11.7	342 216	9.0	31.4 39.4 39.4 31.2	
Faurth	2,155	1,804	83.7	21.0	18.2	132	6.1	16.3	
Fifth	4,679	4,867	85.5	310 630 231	8.0	113	2.5	18.6	
MM = : = = = = =	3,879	1,400	67.8	636	114	530	18.6	11.3	
Seventh	1,811	1,040	13.8	231	**	538	18.8	16.5 16.5 16.5 16.5	
igen	1,568	1,000	77.4	201	1.0	378	14.7	m.	
MINIO	3,826	4,510	76.4	284	8.8	1,481	17.4	23.0	
Tenth	1,300	2,441	88.3	124	8.4	124	8.4	10.7	
DEVENUE	3,299	1,829	85.7	194	5.0	277	8.4	14.3	

[·] All percents may not add up to 186.8 due to rounding.

OTHER PEDERAL COURTS

Rail Reorganization Court

The Special Court was established by the <u>Regional Rail</u>
Reorganization Act of 1973 ("Rail Act") primarily to determine the
value of properties transferred by seven principal bankrupt railroads
and numerous other transferors in the Northeast and Midwest regions.
The emounts claimed by the transferors had ranged into the billions of
dollars and the proceedings to determine these claims necessarily have
been conducted in several stages. The Special Court announced the
general principles it would follow in an opinion dated October 12, 1977,
445 F. Supp. 594. The initial evidentiary stage began in 1978 with the
taking of evidence as to the amount which the transferors could have
obtained for certain properties for continued rail use in the absence of
the Rail Act and concluded with the Special Court's opinion with respect to valuation for rail use dated November 24, 1981, 531, F. Supp.
1191.

The Court's opinion on principles of valuation and questions raised by the Court in connection with the evidentiary hearings, as well as its opinion on value for rail use, were perceived as setting benchmarks for settlements, which the Court has urged since 1977, see 445 F. Supp. at 1044-46. Beginning with the Penn Central in the fall of 1980, settlement agreements between the Government parties and six of the seven principal bankrupt railroads have now been approved by the Court. During the past year, the remaining parties have submitted evidence relating to the realizable non-rail use value of these transferors' conveyed properties. Briefs are to be submitted in October and December 1982, and the Court will hear oral argument on the "non-rail use phase" for these transferors in January 1983.

The Court has also continued to dispose of a variety of problems relating to the interpretation and effect of the conveyance orders entered in March 1976 and of proposals for supplemental transactions under Section 305 of the Rail Act.

On August 13, 1981, the Northeast Rail Service Act of 1981 (NRSA) was enacted as Subtitle E of Title XI of the Omnibus Budget Reconciliation Act of 1981. Section 1152(a) of NRSA provides additional original and exclusive jurisdiction in the Special Court. A considerable amount of litigation speedily arose. In May 1982, pursuant to Section 1152(d) of NRSA, the Judicial Panel on Multidistrict Litigation assigned three additional judges to the Special Court to handle litigation under NRSA. The Court is now divided into two panels of three judges each. The General Panel continues to exercise jurisdiction under the Rail Act, including the valuation case, while the Section 1152 Panel exercises jurisdiction over cases arising under NRSA.

In proceedings arising under its original and exclusive jurisdiction, the Special Court reported 27 cases filed and 15 terminated during the year, leaving 35 cases pending as of June 30, 1982. Of the new cases filed, 9 were based on jurisdiction under the Rail Act, and 18 were based on jurisdiction under Section 1152(a) of NRSA.

Temporary Emergency Court of Appeals

The Temporary Emergency Court of Appeals, which began operation on December 22, 1971, litigates all appeals from the district courts in controversies arising under Section 4(e) of the <u>Economic Stabilization Act of 1971</u>, as well as those pursuant to the <u>Emergency Petroleum Allocation Act of 1973</u>, the <u>Energy Policy and Conservation Act of 1975</u>, and the <u>Emergency Natural Gas Act of 1977</u>.

During the twelve month period ended June 30, 1982, the case filings and terminations in the Temporary Emergency Court of Appeals declined from the previous year. A total of 54 cases were filed in 1982, down slightly from the 57 cases filed in 1981. Total case dispositions decreased a sizable 19.3 percent during the past twelve months, dropping from 57 cases in 1981 to 46 cases in 1982. Since more appeals were filed than were terminated during 1982, the number of cases

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pending on the docket grew to 27 cases. This year's pending caseload for the Temporary Emergency Court of Appeals is the largest number reported since 1979.

CASES UNDER SUBMERSION

The A.O. receives quarterly reports from clerks of the courts of appeals, Court of Claims, Court of Customs and Patent Appeals, and Temporary Emergency Court of Appeals which provide information regarding cases under submission over 90 days. Cases awaiting additional memoranda or briefs, or awaiting an opinion in another case are not included in the report.

Table 10 provides a breakdown by circuit of cases held under submission over 90 days. A total of 888 cases were reported as of June 30, 1982. This was a 8.7 percent increase over the 817 cases reported on June 30, 1981. There were 549 cases (61.8 percent) held more than three months but less than six months; 217 cases (24.4 percent) held more than six months but less than nine months; 53 cases (6.0 percent) held more than nine months but less than one year; and 69 cases (7.8 percent) held over one year.

Table 18
Cases Under Submission
More Than Three Months on June 35, 1982

		Migati	the Unde	r Submiss	ion
Circuit	Total	3-6	6-9	9-12	Over 12
Total	***	549	217	53	
District of					
Columbia	63	42	12	3	
First					
	13	11			
Died	•	•			
Fourth	42	30			_
Fifth	83	-	25		-
Former Fifth*	10	-	-		
Sixth	55	32	-		
Serenth	62 83 10 55 84	54	20		12
light	20	22			
# inth	290	167	73	**	-
Tenth	106	44	20	13	=
Eleventh	92	48	24		
Court of Claims					•
and Patent Assessin					
and Patent Appeals	,		•		
Court of Appeals					

^{*} Includes judges from the Fifth and Eleventh Circuits.

The Ninth Circuit reported the greatest number of cases with 290 cases, followed by the Tenth Circuit with 106 cases. These two circuits reported a total of 396 cases or 44.6 percent of the total for this quarter.

There were 69 cases which had been held under submission over one year on June 30, 1982. These cases were distributed among five of the circuits and panels of the Former Fifth Circuit.

Six circuits reported an increase in the number of cases held under submission for the quarter ended June 30, 1982. Compared to last year, the Third Circuit reported an increase of 2 cases over 1981; the Sixth Circuit was up 8 cases; the Seventh Circuit up 30 cases; the Eighth Circuit up 4 cases; the Ninth Circuit up 78 cases; and the Tenth Circuit up 6 cases.

The District of Columbia, Second, and Fourth Circuits reported decreases in the number of cases held under submission over 90 days. The Fifth Circuit also reported a 60 percent decrease in the number of cases held under submission. This decrease was due to the reorganization of the Fifth Circuit on October 1, 1981 into the Fifth and Eleventh Circuits. The Former Fifth Circuit, as shown in Table 10, represents panels constituted before the reorganization.

Table 11 shows that the number of cases held under submission continues to rise. The current total of 888 cases is 88.9 percent higher than the 470 cases reported in 1976.

Table 11
Cases Under Submission More Then Three Months
As of June 30, 1976 through 1982

		Months Under Submission								
Year	Total	3 - 6	6 - 9	9 - 12	Over 12					
1976	470	283	118	32	37					
1977	465	305	104	21	35					
1978	509	328	122	19	41					
1979	587	378	128	34	47					
1980	745	490	157	42	56					
1981	817	494	210	32	81					
1982	888	549	217	53	69					

U.S. DESTRICT COURTS

CIVIL CASES

Summery of Workland

During the twelve month period ended June 30, 1982, the volume of civil litigation in the U.S. district courts continued to increase to record levels. A total of 206,193 civil cases were filed, representing a 14.2 percent increase over the 180,576 cases filed during the same period one year ago and a 57.9 percent increase over the 130,567 cases filed in 1977. The 189,473 civil cases terminated during the twelve month period ended June 30, 1982 represents a 6.5 percent increase over the 177,975 terminations reported in 1981 and is the largest number of civil actions ever disposed of during a comparable period. Despite the increase in termination activity, the number of pending civil cases rose to 205,434, up 8.9 percent from the 188,714 civil cases pending on June 30, 1981. Table 12 provides a summary of the civil workload in the U.S. district courts during each of the twelve month periods ended June 30, 1960, 1965, 1970, and 1975 through 1982.

Table 12
U.S. District Courts
Civil Cases Filed, Terminated, and Pending
During the Twelve Month Periods Ended
June 30, 1960, 1965, 1970, and
1975 through 1962

Teer	Filed	Terni- nated	Pending on June 30
1960 1965 1970 1975 1976 1977 1978 1979 1990 1991 1992	39,244 67,878 67,321 117,329 130,567 130,567 130,769 154,460 160,376 204,163	61,829 65,478 60,425 104,783 118,175 117,150 125,914 143,323 160,481 177,975 169,473	61,251 74,205 93,307 119,767 140,169 153,406 164,462 177,405 184,113 184,714 205,434
Percent Ch 1997 over 1977 1991	87.4 14.2	61.7 6.5	11.7

The single biggest factor in the increase in civil activity in the U.S. district courts is the impact of actions for recovery of overpayments and enforcement of judgments. Most of these cases involve the U.S. government's efforts to recover on defaulted student loans and overpayments of veterans' benefits. Excluding these cases, the percentage increases in filings, terminations, and pending civil cases between 1961 and 1962 would have been only 8.5 percent, 1.2 percent, and 7.2 percent, respectively. The impact of these cases on civil

litigation is discussed in a special section on page 101 of this report and in the respective sections on civil terminations and civil pending caseload.

Table 13 provides a comparison, by district, of the civil workload during the twelve month periods ended June 30, 1981 and 1982. Additional data on civil litigation in the district courts is provided in Appendix Tables C-1, C-2, C-3, C-3A, C-3B, C-4, C-4A, C-5, C-5A, C-5B, C-6A, and C-6B.

Workload Per Authorized Judgeship

The Omnibus Judgeship Act of 1978 increased the number of authorized judgeships in the district courts from 399 to 518. This Act reduced the number of civil cases filed per authorized judgeship from 348 in 1978 to 300 in 1979. Most recently, the abolishment of the district court in the Canal Zone reduced the number of authorized judgeships in the district courts by one. With the steady rise in the number of civil cases filed, the number of civil cases per authorized judgeship has reached 600 for the year ended June 30, 1982. The increase in dispositions resulted in an increase in per judgeship terminations from 345 in 1981 to 368 in 1982. The number of civil cases pending per judgeship increased to 399, a rise of 9.0 percent over the 366 cases recorded last year. Table :4 summarizes the per judgeship workload during the twelve month periods ended June 30, 1940, 1950, 1960, 1970, and 1975 through 1982.

Ciril Filings Up 14.2 Percent

Civil filings during the twelve month period ended June 30, 1982 rose by 14.2 percent to 206,193. Eighty-two districts experienced increases in the number of civil cases filed. The districts encountering the largest rise in filings were North Carolina, Middle (up 104.7 percent); Minnesota, (up 101.4 percent); Quam (up 81. 2 percent); and Oklahoma, Northern (up 80.5 percent). The increases in North Carolina, Middle; Minnesota; and Oklahoma, Northern are largely the result of increases in the number of filings for recovery of overpayments of veterans' benefits cases, while the rise in Quam is due to an influx of land condemnation cases.

In contrast, 13 districts experienced declines in filing activity from 1981. Excluding the Canal Zone, where the court was phased out effective March 31, 1982, California, Southern; Virginia, Eastern; and the Virgin Islands were the districts with the largest declines in filing activity. Filings in these districts were down 17.5 percent, 15.2 percent, and 13.5 percent, respectively. The declines can be attributed to reductions of filings in land condemnation cases (California, Southern); recovery of overpayments and enforcement of judgment cases (Virginia, Eastern); and personal injury cases (Virgin Islands). More detailed data on the number and type of civil cases filed in the district courts is provided in Appendix Tables C-2 and C-3.

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Tuble 14 U.S. District Courts Civil Cases Fer Authorized Judgeship During the Twelve Honth Periods Ended June 38, 1940, 1958, 1968, 1978, and 1975 through 1982

			ivil Case orized Ju	
Year	Authorized Judge- ships	Filed	Termi- neted	Pending on June 30
1940	183	190	204	181
1950	218	296	244	255
1948	245	747	252	250
1970	401	718	291	222
1975	400	293	262	299
1976	400 299	337	276	251
1977	314	328	254	386
1978	299	348	216	417
1979	516	360	276	345
1980	316	377	311	361
1981	556	258	345	366
1987	515	400	368	399

Civil Fillings by Origin

During any given period, most of the civil cases filed in the U.S. district courts are original proceedings. Original proceedings accounted for 183,098 cases or 88.8 percent of total fillings. This compares with \$8.1 percent one year ago. Cases remanded from the courts of appeals increased slightly to 0.8 percent, while removals from state courts remained proportionately the same at 6.4 percent. Reopened cases and transfer cases represented smaller percents of total fillings than in 1981. Appeals from magistrate judgments totaled 54 cases, up from the 34 cases recorded in 1981. Table 15 summarizes civil filings, by origin, during each of the twelve month periods ended June 30, 1975 through 1982.

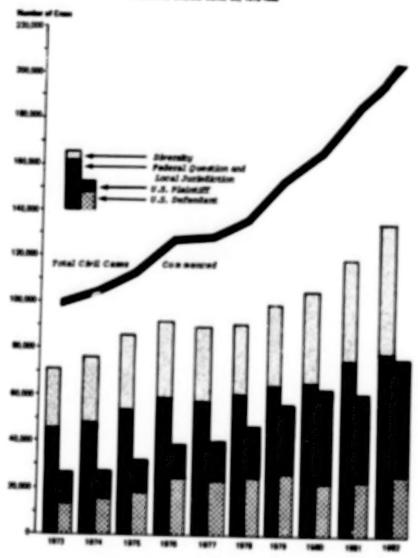
Table 15 U.S. District Course Clovil Frings by Organ son Person Ended June 36, 1973 through 1989

Tes:	Total Filongs	Org-	Removals From State Courts	Remands From Courts of Appeals	Re-	Trung- fers	Appeals From Vagostrata Julg ments
1975	117,898	105,795	4,017	922	1,661	1,794	
1976	190,587	157,661	7,879	984 799 636	1,891	2,695	
1977	150,867	888,777	8,209	790	3,743	1,679	
1979	138,770	123,459	8,320	836	3,601	1,004	
1979	154,666	159,000	0.800	797	3,644	RATE	
1980	166,760	189,569	88,877	977	4,745	8,801	
1981	160,576	150,172	11,473	936	5,674	1,461	94
1983	266,593	183,698	13,290	1,192	5,698	3,831	34
Percent of 1981 Total	100.0		**	**		1.4	

Also consistes transfers under Title 26 U.S.C. Sertum | 467, Sotial data collection in 1861.

CIVIL CASES COMMENCED

IZ MENTHS ENDED AND IS, 1875-188



Types of Civil Cases Commenced

During the twelve month period ended June 30, 1982, 36.7 percent of the civil cases filed involved the U.S. as either a plaintiff or a defendant. The number of U.S. plaintiff cases increased 30.0 percent, while the number of U.S. defendant cases increased 11.0 percent. Civil cases involving Federal question litigation and diversity of citizenship also increased, up 9.2 percent and 11.2 percent, respectively. Cases involving local jurisdiction, however, declined for the third straight year, dropping 13.5 percent. This decline is largely the result of a drop in personal injury filings in the Virgin Islands from 277 in 1981 to 198 in 1982. Table 16 provides a summary of civil filings, by jurisdiction, for each of the twelve month periods ended June 30, 1975 through 1982.

Testin 16
U.S. District Courts
Circli Cases By Agradiction
Charles Wants Persons Ended Jose 36, 1875 through 1982

		UA	Cense		rivete Can	-
979 977 978 979	Total	Plain-	Stefand- ant	tiji	Titles-	Long) Acris- dection
0875 0876 0877 0877 0878 0878 1980	117,239 136,367 136,467 136,770 154,466 166,769 160,678 366,290	11,742 15,500 54,279 22,634 91,663 36,610 97,564 68,860	19,817 24,385 25,486 54,277 24,477 26,267 26,475	10,488 14,800 57,600 59,271 40,000 64,809 70,01	21, #75 21, #76 21, #76 21, #75 24, #81 29, 215 41, #44 29, 216	5,225 1,235 1,666 1,665 1,014 916 773
Persont Ch 1982 over 1977 1981		198.4	12.A 11.8	18.5	58.6 11.2	414

The 14.2 percent overall increase in civil filings was highlighted by significant increases in several case types. The largest single increase in filings was in cases for recovery of overpayments and enforcement of judgments, which rose 65.5 percent from 18,161 in 1981 to 30,048 in 1982. Other notable increases were in social recurity disability insurance cases (up 44.5 percent); securities, commudities, and exchange cases (up 34.4 percent); and insurance contract cases (up 25.7 percent). A significant increase was also reported in employment civil rights cases, which rose from 6,245 in 1981 to 7,689 in 1982.

Although there was an overall increase in case filings, declines occurred in several case types. The most significant declines were in <u>Energy Allocation Act</u> cases (down 54.8 percent) and land condemnation cases (down 51.8 percent). There was also a substantial decline in civil antitrust litigation, which dropped from 1,352 cases in 1981 to 1,066 cases in 1982. A summary of civil cases commenced, by nature of suit, during each of the twelve month periods ended June 30, 1978 through 1982 is provided in Table 17. Additional data on civil cases commenced, by case type, during the twelve month period ended June 30, 1982 is provided in Appendix Tables C-2 and C-3.

Table 07

U.S. Darrier Course

Circl Case Contenued by Nature of Suit

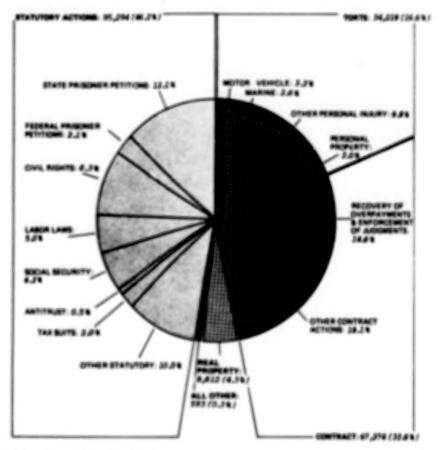
During the Twelve North Parish Stales June 38, 1979 through 1983

Notice of Built	1978	1979	1980	1001	1980	Change 1803 / 1801
**************************************	. 194,779	254,666	100,700	186,016	200,200	14.0
Canada	25,728	36,698	48,802	81,238	67,276	BLA
	1,000	3,541	8,700	6,016	5,204	
The state of the s		4,681	4,760	5,149	5,850	8.7
Notice Act		886	700	794	986	14.5
Control of Charles and Charles and		3,000	4,872	3,500	5,007	19.7
Crise	13,484	9,214	25,000	194,340	35,548	65
Sani Property Artists		21,676	11,047	8,887	21,499	28.4
Nortegage Ferenciascos					0,012	4.0
Carried Colonial Colonia Colon		1,711	4,674	4,728	9,794	81.0
Graw	1,601	1,044	4,780	8,079	1,860	41.6
Part Artisia			-	1,440	1,860	1.0
		18,001	31,534	33,767	34,354	1.0
Employers' Liebility Act	1,494	1,540	1,090	1.874	8,617	9.6
Aman	875	6,296	943	60 0	960	20.0
Nation Colors	4.840	4,865	5,006	5,295	5,094	3.0
States Vehicle	5,800	5,690	6,891	6,799	6,801	7.0
Giner Personal Injury	5,801	6,250	1,000	7,897	0.350	8.4
Liamiting						
	6,639	,045	1,000	1,012	4,804	11
letion (lube finished	73,694	75,067	75,674	46,579	B.2H	18.6
Antorest	1,477					
	1,711	1,791	1,496	1,380	1,000	49.2
		0,798	1,600	1,000	3,540	57.0
Acron making	-	404		-		
	9.000	5.477	940	200	897	48.6
***************************************	1 100	145		8,245	7,800	88.4
	214	195	21.0	180	179	11.0
	8,475	8,817	7,010	290	215	450
Committee of the Commit	1,045	1,095		8,490	0.597	8.8
	140	161	1200	1,000	1.867	44
	-	- 54	- 10	118	1.94	18.6
	79	191	198	100	87	41.6
	808	588	997	140	97	44.6
	1,000	8,279	3,600	1.441	3,200	-93.5
President of Scharteston And	505	687	807	987	101	18.5
	7,481	8,494	8,640	9,000	99,627	19.0
Princer Patitions	3,040	3,074	3,790	4,627	4,080	14.0
[marel	4,893	4,400	9,719	4,584	4 224	
Securities, Contraction and	14,609	18,002	18,874	23,667	94,675	5.0
Enchange	1,780	1.686				
	9.050	1,000	1,694	1,700	8,876	34.4
	1,000	3,597	0.000	9,780	116.01	81.0
	1,010	4,075	4,071	1,000	6,594	1.0
- Artes	m 1	954	507	981	980	6.0
Demontor Balation (Local)						
Arrivativi (m)	904	244	-	18		
	-	-	-		-	68.0
Driver	160	116	188	199		-4.0

TYPE OF CIVIL CASES COMMENCED

ST MONTHS ENDED AND SK, 1967

TOTAL CHIL CARTS JON, 281



Description of the Park State of State of

Recovery of Overpayments and Enforcement of Jeffments

During the twelve month period ended June 30, 1982, the number of recovery of overpayment and enforcement of judgment cases increased from 18,161 to 30,048, a jump of 65.5 percent. In 1982, recovery of overpayment cases comprised 44.7 percent of all contract cases and 14.6 percent of total civil fillings. This represents a significant change from 1975 when these cases represented 3.0 percent of contract cases and 0.6 percent of total civil fillings.

This steady rise in the number of recovery cases can be attributed to the Federal government's increasing efforts to recover defaulted student loans and overpayments of veterans' benefits. Cases filed by the U.S. account for 29,839 (99.3 percent) of the recovery cases filed. California, Northern; Minnesota; and Arizona were among those districts reporting a substantial number of recovery case filings. The total number filed in the three districts, respectively, was 2,376; 1,434; and 1,154. Summaries of recovery of overpayment and enforcement of judgment cases filed, terminated, and pending, for the twelve month periods ended June 36, 1975 through 1982, are provided in Tables 18 and 19.

Table 18
U.S. Descript
Cool Actions for Recovery of Chargesystemic and Enforcement of Autgrownia
Descript for Nazion States Service Se

Civil Artises	1875	1976	1877	1978	1879	1800	(40)	(80)	Charge [199]/ [199]
	-	5,647	865	1,816	8,094	15,000	(6,58)	35,046	85.5
fernistim	-	-	-	1,279	5,775	15,615	15,694	(84,580)	87.8
Pending	425	-	863	5,240	4,791	6,690	8,810	11,710	65.5

Table 19
U.S. Discret Courte
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Securery of Courteys ment and
Seferoment of Adaption Courte Find
Series the Traction Secure Courte
Asset St. 1973 Georget 1989

fee		Cherry Cherry and Ent	em for my of years	Os Cir	
	Tetal	Filed	Personal of Total	Filed	of Setul
0978	117,880	681		115,605	-
1976		1,897	0.0	129,510	99.0
D077	130,367	801	0.7	129,789	99.5
1979	198,779	5,856	6.8	196,614	68. 0
1979	154,600	8,894	6.0	145,417	96.0
1980	168,769	15,500	9.0	195,091	90.0
1000 xxx	180,579	18,561	18.0	580,415	80.0
1985	788,180	56,648	56.8	078,048	80.4

Princeer Petitions

Prisoner petitions regularly represent a substantial portion of civil litigation in the Federal courts. During the twelve month period ended June 30, 1982, prisoner petitions comprised 14.2 percent of all civil filings. State prisoner petitions alone represented 12.1 percent of civil filings. Petitions filed by state prisoners rose to 24,975 or 85.2 percent of all prisoner petitions filed in 1982. The most significant increase in state prisoner petition litigation was in prisoner civil rights petitions (up 7.0 percent). A large number of the 16,741 civil rights cases were filed in Virginia, Eastern (1,138) and Florida, Middle (1,012).

Petitions filed by Federal prisoners rose from 4,184 cases in 1981 to 4,328 cases in 1982. Habeas corpus petitions from Federal prisoners increased ministantially (up 18.3 percent), while motions to vacate sentence and manda mus petitions decreased 5.8 percent and 3.1 percent, respectively. Districts with the largest number of Federal habeas corpus filings were California, Central (198) and Missouri, Western (167). The number of Federal prisoner civil rights petitions filed remained the same. Table 29 is a summary, by type, of prisoner petitions filed during each of the twelve month periods ended June 30, 1970 and 1975 through 1982.

While the number of prisoner petitions filed in the U.S. district courts has risen dramatically over the past few years, the number of prisoners confined in Federal and state institutions has increased. flased on data provided by the Bureau of Justice Statistics, the Federal and state prisoner population was 384,316 on March 31, 1982, compared to 369,009 on December 31, 1981 and 196,429 on December 31, 1970.

Antitrust

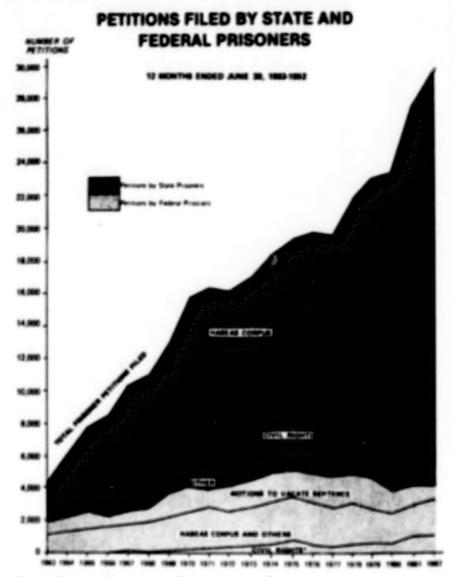
A total of 1,148 antitrust cases were filed in the U.S. district courts during the twelve month period ended June 30, 1982. This figure is down significantly from the 1,434 filed in 1981, and the lowest total since 1970. U.S. civil cases decreased most dramatically, dropping from 60 in 1981 to 29 in 1982. Private antitrust cases also declined significantly from 1,292 in 1981 to 1,037 in 1982. The largest numbers of private antitrust cases were filed in Illinois, Northern and New York, Southern, with 82 and 81 cases, respectively. The number of criminal antitrust cases remained the same as last year (82). Table 21 is a comparison of the number of antitrust cases filed in the U.S. district courts during each of the twelve month periods ended June 30, 1968, 1965, 1970, and 1975 through 1982.

Land Condemnation

There were 757 land condemnation cases filed by the U.S. during the twelve month period ended June 30, 1982, down from the 2,921 filed in 1981. This continues the steady decline in the number of cases filed by the U.S. involving land condemnation from the all-time high of 6,906 in 1978. The majority of this decline was in Florida, Southern,

Table 28
U.S. District Courts
Prisoner Petitions Filed
During the Twelve Month Periods Ended June 26, 1976 and 1975 through 1982

Type of Petition	1976	1975	1976	1977	1978	1979	1980	1981	1942	Peri Cha 1982 1977	unti nge over 1981
Total	15,897	19,367	19,809	19,537	21,924	23,001	23,267	27,711	29,363	58.8	5.7
Petitions by Federal Prisoners	4,185	1,647	4,780	4,891	4,955	4,499	3,713	4,184	4,328	-4.8	5.5
Motions to Varate Sentence Haloss Corput Mandamus, etc. Civil Rights	1,779 1,686 798 136	1,690 1,682 1,197 678	1,493 1,421 1,164 142	1,871 1,588 779 483	1,824 1,738 665 636	1,907 1,577 427 588	1,972 1,413 375 663	1,248 1,629 393 834	1,186 1,877 381 834	-38.3 17.8 -61.3 72.7	44
Petitions by State Prisoners	11,812	14,260	15,029	14,846	14,369	18,582	19,574	23,687	24,975	68.2	5.8
Habeas Corput Mandamus, etc Civil Rights	9,863 97 2,857	7,843 289 6,128	7,833 238 6,958	6,866 228 1,752	7,833 266 9,730	7,123 184 11,795	7,891 146 12,597	7,790 178 15,639	8,899 175 16,741	17.4 -23.2 115.6	1.5 -1.7 7.8



[&]quot;Old Right" prior to 1995 are included in "Other Prisoner Prisoners".

Table 21 U.S. District Courts Antitrust Cases Commonced During the Twelve Nonth Poriods Ended June 30, 1960, 1965, 1970, and 1975 through 1982

		US.	Cases	
Year	Total	Civil	Orim- inel	Private Cases
1960	315	50	27	228
1965	521	38	11	672*
1970	933	52		877
1975	1,467	56	36	1,375
1976	1,574	51 47	19	1,504
1977	1,689	47	31	1,611
1978	1,587	42	38	1,435
1979	1,312	58	28	1,234
1980	1,535	29	39	1,457
1961	1,434	80	82	1,293
1982	1,148	29	82	1,837

Includes 26 electrical equipment industry cases transferred under Title 28 U.S.C. Section 1494(a).

where filings dropped from 706 in 1981 to 30 in 1982 and California, Southern, where filings dropped from 492 in 1981 to 4 in 1982. During 1982, the largest number of U.S. land condemnation cases were filed in Quam (184 cases) and West Virginia, Northern (68 cases). The large number of cases in Quam represent claims by individuals, pursuant to the Omnibus Territories Act of 1977, for fair compensation for land taken by the Federal government in 1944 and 1963.

For the third consecutive year, the number of land condemnation cases disposed of exceeded the number filed. As a result, the pending caseload of land condemnation litigation dropped 39.0 percent to 4,549 cases.

Product Liability Cases Decline

During the twelve month period ended June 30, 1982, a total of 8,944 cases alleging product liability were filed in the district courts. This represents a decrease of 1.4 percent from 1981 but still more than double the 4,077 product liability cases filed in 1977. The most significant increase was in marine personal injury cases, which rose from 69 in 1981 to 122 in 1982, a jump of 76.8 percent.

Table 22 summarizes product liability cases filed, by type and district, during the twelve month period ended June 30, 1982. The largest concentrations of these filings were in Texas, Eastern (482); Massachusetts (440); Pennsylvania, Eastern (439); and Michigan, Eastern (402). A total of 43 districts experienced increases in product liability filings over 1981.

105

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	nieless	The same	Ī					i	

Environmental and Energy Allocation Litigation Drops

Cases filed under the <u>National Environmental Policy Act of 1969</u> declined to 394 in 1982, a decrease of 32.3 percent from the 582 such cases filed in 1981. The largest concentrations of environmental litigation were in Indiana, Southern and Florida, Southern, with 33 and 18 filings, respectively.

Cases filed under the Emergency Petroleum Allocation Act (November 27, 1973), which incorporated Sections 295 and 211 of the Economic Stabilization Act of 1979, also known as the Energy Allocation Act, declined substantially from the 194 cases filed during the twelve month period ended June 30, 1981. In 1982, a total of 47 such cases were filed, with no single district reporting more than four filings.

Fraud, Including Truth in Landing, Declines

During the twelve month period ended June 30, 1982, the number of Federal question fraud cases filed in the U.S. district courts, including those filed pursuant to the Truth in Lending Act, declined to 916 cases, a drop of 35.5 percent from the 1,421 cases filed during the same period a year ago. The largest number of Federal question fraud cases were recorded in Connecticut, where 133 such cases were filed in 1982. Other districts with substantial numbers of fraud filings were Georgia, Northern (107); South Carolina (39); and Illinois, Northern (39). Table 23 is a summary of the number of fraud cases filed, by district, during the twelve month periods ended June 30, 1975 through 1982.

Civil Rights Litigation Up 10.5 Percent

Civil rights litigation (excluding prisoner civil rights petitions) regularly comprises a significant portion of all civil litigation filed in the U.S. district courts. During the twelve month period ended June 30, 1982, there were 17,038 civil rights cases filed, an increase of 10.5 percent over the 15,419 cases filed in 1981. The largest increases in civil rights litigation were in employment discrimination and voting rights cases, which rose 23.1 and 11.5 percent, respectively. Filings alleging violation of civil rights regarding public accommodations and welfare declined 29.5 percent and 15.0 percent, respectively.

The 17,038 civil rights cases filed in 1982 include 1,864 involving the U.S. as either plaintiff or defendant, and 15,174 involving private parties. A summary of civil rights filings, by case type, for each of the twelve month periods ended June 30, 1975 through 1982 is provided in Table 24.

Table 25 U.S. Statistic Courts French, Sectioning Truth in Learning Act Course Filled,* Ouring the Terrise States Employee 24, 1875 moreous 188

Comple								
Detroit	1875	1876	1977	1878	1879	1880	186	1983
***	1,017	1,047	1,48	1,817	1,540	1,014	1,401	918
*	10			88	18	88	88	20
MO	28		88	N			58	
Ĭ	-	4					12	:
Ma	179	276	280	***	200	913	100	186
CT	101	141	11 11 11 11 11 11 11 11 11 11 11 11 11	18 18 18 19 17		12	100	100
M Co	107	189	19	199	*	100	80	285
M								:
es co	**	110	215		100	213	196	188
C	- II	13 By • 15 15 15	11 12 13 14 14 14	F - 510		B. 831.		-
se co	390	350	359	887	961	888		
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•••	997	184	175	546	199	191	**	*
(Y , E ,								

Total 15
U.S. Destroy Courts
Frank, Serbelling Truth is Landing Ant Course Filed,*
During the Twelve Worth Formats Stated June 36, 1975 through 1981

	-	_	-	_				
Cornell and Distrart	1975	1876	E#77	1979	1979	1980	1981	100
10 Co		226	228	188	216		76	97
6. 6 6. C 5. 5 8. 9 81, 2 81, 2				-		13	63 18 1 1 1 1 1 8	
· · · · · · · · · · · · · · · · · · ·	79	189	216		125	*		
A.E. E A.E. W IN. N IN.	27 20 6 7 7 20 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8	69 69 69 68 69 89	7 2 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3	8 9 9 03 03 04 04		9 6 65 60 7 67 8		
19 CD	161	154	196	258	100	197	19	
AS AE CA, N CA, S	15 28 4 18 7 28 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	1 27 23 0 14 6 87 97 9 1 8 4 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	3 T T T T T T T T T T T T T T T T T T T	8 21 24 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	18 M2 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0		00 5 07 8 8 0 07	10 10 10 10 10 10 10 10 10 10 10 10 10 1
C9	÷	÷	-	-	- 79	**	91	
64, 6 64, 6 65, 9 67		15		B	•			
	916	TRY	618	***	616	***	***	991
46, 8 41, 8 41, 9 41, 9 41, 9 41, 9 54, 9 54, 9	a series	23 m o o o o o o o o o o o o o o o o o o						B. HEE

Autobio orio Pariettal question Attacctors.

Sable 54 U.S. Shoreot Clearie Clark Rights Corn Conthessor (Saring the Teacher Month Fortub Cubed July 36, 1975 foreign 1982

Type of Com	1975	1976	1977	1974	1979	1986	(90)	1981
***************************************	56,580	15,216	13,013	11,819	13,048	13,844	15,418	E1,808
Card Rights, General	5,880	6,879	6,318	6,675	6,817	1,818	8,400	6,791
Total Rights	386	076	983	6.99	149	100	258	1/76
Englished Decinisation	3,691	9,000	5,891	5,004	5,677	5,817	6,545	1,000
Patie Amountation	-	9.01	442	417	634	548	206	887
School	889	555	250	214	195	2012	250	911

^{*} Farketes Procesor Processo Chrill Rights Cones.

Table 25 is a comparison, by district, of the number of employment civil rights cases filed during each of the twelve month periods ended June 30, 1975 through 1982. The largest number of employment cases in 1982 was filed in Illinois, Northern, which recorded 417 such fillings. Other districts with significant rambers of such fillings include Minnesota (342); Texas, Southern (250); Michigan, Eastern (246); New York, Southern (236); and Ohio, Northern (236).

Increase of 31.8 Percent in Social Security Act Litigation

The number of cases filed in the district courts pursuant to the Social Security Act reached a record high of 12,812 cases during the twelve month period ended June 30, 1982. This surpasses the previous high of 10,355 cases filed during the same period in 1976.

All major categories of social security cases showed increases over 1981 with the largest increase occurring in claims for disability insurance benefits. Table 26 summarizes, by type, social security filings during each of the twelve month periods ended June 35, 1979 through 1982.

During 1982, ten districts received more than twice as many social security filings as in 1981. The district with the largest increase in such filings was Michigan, Eastern, up from 628 in 1981 to 987 in 1982. Despite the overall increase, several districts experienced declines in filing activity. The largest declines were in Nevada and Arizona with reductions of 36.9 and 26.7 percent, respectively. Table 27 shows social security filings, by type and district, during the twelve month period ended June 30, 1982.



Tento II

C.S. Destroi Courts

Enginyment Civil Rights Coon Filed, by District,
During the Texton Result Particle Ented Age IS, 1973 through 1981

Cleaning								
Detroit	1975	1876	1977	1876	1979	100	1001	180
d	1,691	5,981	1,600	1,000	5,477	1,617	6,345	1,000
	199	987	294	100	188	100	204	867
*****	140	198	130	100	148	188	199	184
		11	4		73		*	-
	1	11		:	11		53	18
*****		94	*	91	107	10	**	
* *****	228	385	384	388	279	987	394	883
*******	=	-	*	7	15	*		-
*****	#		199		187			
*******	11	*	*		**	*	*	
•	901	200	428	350	276	945	***	
	19		.94		87	. 16	172	. 84
******	-	1.94	104	289	110	12	110	191
*****		84	190	14	- 5	=	-	180
*****								14
* *****	100	436	-			613	991	979
127277	13	100	256	1	120	- 12	1	184
*****		- 5			- 5	- 6	- 6	
*****		-	-	- 8	- 5	- 5	- 8	100
******	3	17	-	3	- 11	3	- 1	
	15	1.000	1,001	1,007		1,000		_
	1,000	1,660	110		1,001	99	1118	109
******	1	54	100		2	11	2	
	=	-	2	2		Ē		=
******	195	185	079	188	198		199	180
******	200	186	905	-	-	1	-	
*****				8	-	7	-	
*****	559	***	748	198	716	804	808	1,888
*******	10		12	12	11		22	25
222222 22222	100	997	100	187	274	310	201	200
****	185	974	907 933	18	200	18	294	255
		- 13	Ē		-		ä	
*****	64	25	-	230	1200		100	100

Table 25
E.S. Destroit Courty
Engineering Chil Rights Courty Filed, by District,
During the Twelve Month Ferrick Ended Ause 26, 1973 Strongt 1987

-	-	_	-	_				
Comple and Decree	1875	1876	1977	1874	1979		100	1991
10 Co		276	601	956	861	875	-	_
Si., W	1	11	234 27 23 51 60 60		10 17 18 18 18	***	200 100 114 81 81	607 50 50 50 50 50 50 50 50 50 50 50 50 50
· · · · · · ·		300	679	367	***	817	467	894
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Table 27 U.S. District Courts Social Security Act Cases Filed During the Twelve Month Periods Ended

June 30, 1979 through 1982

Year	Total	HIA	BL	DEM.C.	SSID	RSI	OTHER
1979	9,942	247	326 208	5,702 4,795	976	154	2,647
1981	12,812	461	180	8,002	2,378	138	1,653

- REA. All claims for health impurence benefits (medicare) under Title XVIII, Part A., of the Social Security Act, as amended. Also includes claims by hospitals, skilled nursing facilities, etc. for certification as providers of service under the pragram (42 U.S.C. 1995FF. (80).
- All claims for "Stark Lung" benefits under Title IV, Fart B, of the Federal Coal Mine Realth and Safety Act of 1969 (30 U.S.C. 929).
- Effect All claims filed by insured workers for disability insurance benefits under Title II of the Social Security Act, as amended; plus all claims filed for Child's insurance Sensefits based on disability (4) U.S.C. 485(CB).
- SEWW All claims filed for widows or widowers ! courance benefits based on disability under Title II of the Social Security Art, as amended (42 U.S.C. 405(QS).
- SSID All claims for applemental security income payments based upon disability filed under Title XVI of the Social Security Art, as amended.
- RBI All claims for retirement (old age) and survivors benefits under Title II of the Social Security Act, as amended (4) U.S.C. 495(GB.
- OTHER Other social security All claims not covered by one of the other categories presenting.

Civil Terminations Up 6.5 Percent

A total of 189,473 civil cases were disposed of in the U.S. district courts during the twelve month period ended June 38, 1982. This total represents a 6.5 percent increase over the 177,975 cases terminated during the same period last year. Out of 95 district courts, 67 districts reported increases in the number of civil case dispositions. The largest increases were in Minnesota (up 89.3 percent); North Carolina, Middle (up 62.9 percent); Wisconsin, Western (up 61.3 percent); and Oklahoma, Northern (up 57.4 percent). The increase in each of those districts was largely the result of closing cases involving recovery of overpayments and enforcement of judgments. Of the 28 district courts experiencing decreases in termination activity, Massachusetts and Guam reported the most significant declines of 42.1 and 27.3 percent, respectively.

During the twelve month period ended June 30, 1982, the percentage of cases disposed of with no court action increased to 44.0 percent, up from 41.7 percent in 1981. During 1982, the proportion of cases reaching trial was 6.1 percent, down from the 6.5 percent recorded in 1981 and the lowest proportion in over 20 years. This is primarily the result of the disposition of cases for recovery of overpayments and enforcement of judgments. During 1982, a total of 26,208 such cases were terminated, with only 118, or 0.5 percent, reaching trial. The majority of these cases (84.7 percent) were disposed of with no court action. A summary of civil cases terminated for each of the twelve month periods ended June 30, 1970 and 1975 through 1982 is provided in Table 28. Additional data on civil cases terminated in the U.S. district courts during the twelve month period ended June 30, 1982, can be found in Appendix Tables C-38, C-4, and O-4A.

Table 19
U.S. Sherrert Courts
Circl Come Terminated by Artist Taken,
During the Termin Manth Period: Sodel
Ame 26, 1676, and 1675 through 1961

Year	Tetal	Re Caurt Action	Before Freetis	Survey or After Pretrict	After Trud	Persons of Total Reserving Treat
1979	78,466	20.2	25,425	11,000	2,075	18.0
1975	085,787	37.A	46,271	15,675	8,722	8.4
1976		10.5	41,236	16,231	0.833	8.2
1977		39.2	43,885	17,788	9,847	7.0
1878		m.s	48,719	19,725	9,813	7.6
1979			49,733	25,467	8.630	
1980		88.4	98,791	25,014	19,691	
1981		61.7	61,890	28,004	11,016	8.6
1982		64.8	67,267	25,202	11,336	8.4

Terminations by Nature of Built

The overall increase is civil terminations was highlighted by significant increases in several case types. The largest increase in civil terminations for the twelve month period ended June 30, 1982 was in U.S. recovery of overpayment and enforcement of judgment cases, which ruse 57.3 percent from 16,597 in 1981 to 26,208 in 1982. Categories of private civil case terminations which increased substantially include real property cases (up 31.4 percent); labor litigation (up 19.2 percent); and trademark cases (up 17.2 percent). More detailed information on civil cases terminated, by nature of suit, is provided in Appendix Tables C-38 and C-4.

Median Time to Dispuse of Civil Cares

The median time from filing to disposition for civil cases 'erminated in the district courts decreased from nine months in 1981 to seven months in 1982, the shortest median time in the past 20 years. This reduction is the result of the disposition of a substantial number of cases for recovery of overpayments and enforcement of judgments, most of which were disposed of without judicial action. The median time for these cases during the twelve month period ended June 30, 1982, was two months, the lowest for any estegory. Recovery of

overpayment and enforcement of judgment cases also represented the lowest median time for cases going to trial, (three months). A median time of three months was recorded for Federal question real property cases. The highest overall median time was recorded for social security black lung cases (74 months). Private antitrust cases represented the highest median time for cases going to trial, (37 months). More detailed information on median time intervals for civil cases terminated by nature of suit and method of disposition, is provided in Appendix Tables C-5A and C-5B.

The shortest median time from filing to disposition in 1982 was three months, recorded in Arizona. The longest median time was 37 months, recorded in the Canal Zone. The median time for cases going to trial was 19 months. The shortest median time for cases going to trial was seven months in Virginia, Eastern and Tennessee, Eastern. The longest median time for cases going to trial was 40 months in Maine and Kentucky, Eastern. Appendix Table C-5 provides information on median time intervals for civil cases terminated by district and method of disposition.

Pending Civil Workload Up 8.9 Percent

A total of 205,434 civil cases were pending in the district courts as of June 30, 1982, an increase of 8.9 percent over the 188,714 cases pending a year ago. The 205,434 pending civil cases represent the largest civil pending caseload ever in the district courts, and are approximately twice the number pending ten years ago. Despite the overall increase in pending civil cases, 16 districts experienced substantial declines in caseload. Most notable were Florida, Southern (down 28.3 purcent); West Virginia, Southern (down 20.7 percent); Michigan, Western (down 13.9 percent); and Kentucky, Eastern (down 11.9 percent). Seventy-nine districts reported increases in their pending caseload during 1982. The largest increases were in Indiana, Southern (up 49.5 percent); Georgia, Middle (up 46.5 percent); and Northern Mariana Islands (up 39.2 percent). The increases can be attributed to increases in the number of pending recovery of overpayment and enforcement of judgment cases in Georgia, Middle and Indiana, Southern and private contract and personal injury cases in the Northern Mariana Islands.

One of the largest reductions in pending cases occurred in U.S. land condemnation cases, which declined 40.2 percent from 7,268 in 1981 to 4,344 in 1982. Most of this reduction was in Florida, Southern (down 2,600 cases) and California, Southern (down 162 cases). Other declines in civil pending litigation occurred in private interstate commerce cases (down 51.8 percent) and U.S. antitrust cases (down 29.5 percent). The most substantial increases in pending caseload occurred in U.S. recovery of overpayment and enforcement of judgment cases (up 46.3 percent); bankruptcy appeals (up 45.9 percent); and personal injury product liability cases (up 25.9 percent). Table 29 is a comparison of civil cases pending, by case type, for each of the twelve month periods ended June 30, 1980 through 1982. Appendix Table C-3A provides more detailed information on civil cases pending in the U.S. district courts as of June 30, 1982.

Table 59
G.S. Javiert Cours
Circl Cours Fanding by Nature of Suit
Sharing the Turker Month Fanding by Salars St., 1980 through 1981

	-	-		_
Nature of Nat	1980	1981	1963	Parson Charge (SR) (SR)
***************************************	FM,213	188,714	205,404	
BL.C=	14,679	54,442	91,641	8.5
Recovery of Overpayments				
and Enforcement of Audyments Other Contract Color Contract Land Contractor Color Real Property Fart Actions Authmat Civil Repto:	6,321 5,218 16,238 3,879 6,480	1,000 0,019 0,019 0,001 1,001 1,001 19	11,501 1,507 4,504 3,508 4,500	43 43 43 43
Employment Employment Forting Medium Other Clad Rights Pressure Patricians	1,481 SS SS SS SS	1,270	1,340 10 10 10 10 10 10 10 10 10 10 10 10 10	413
Restorms to Yanguin Sentence Outline Corpus Civil Rights Sentence and Other ForSenter and Franchise Salary Role Sentence	818 679 539 1,547 1,642 10,654 8,650	127 780 520 528 1,240 1,240 18,119 1,440	807 604 925 1,718 1,705 14,707 1,344 695	84 853 184 47 34 483 854 474
AS Other U.S. Cases	1,786	374 3,898	818 8,492	73
	157,634	194,872	188,190	**
Seal Property Peters! Engloyers' Lamitity	1,238	31,063 3,811	34,797 3,641	11.4
Act	1,476	3,476	1,450	45
Sector Fernance Injury Ampliane Fernance Injury Ampliane Fernance Injury Assectit, Librit, and	6,543 6,647 1,549	6,535 6,648 1,468	1,41 1,41 1,41	4.7 8.4 8.4
Refinel Representation	***	750	==	15.0
Limitity Other Farmoni Injury Personal Property Autoritinal Bankraptiny Appendix Clorif Reports	6.046 6.761 6.809 6.809 6.809 8.809	0,097 0,017 0,000 0,740 1,095	11,804 1,940 4,817 1,413 1,841	114
Amountside Gees Employment Seting Nacions Other Circl Rights Instance Instance Other Circl Rights		100	979 4,579 171 171 18,681	114
Civil Aghts		1/20	1,573	9.4 19.4 19.4
Francisco (1977)	4,000	4,510	4,000	
4100	1,010	1,740	1,004 1,790	14.0

Civil Cases Pending Three Years or More Drop 8.5 Percent

Because of the increasing volume of civil cases pending three years or more in the district courts, the Judicial Conference adopted the following resolution in March 1981:

Each district judge should periodically review his docket to determine the status of all cases which have been pending three years or more. At the end of June each year, each district judge should review his docket and report, in writing, to the chief judges of the district and circuit, with a copy to the Administrative Office, the reason each such case has been pending for more than three years, its current status, and the prospects for closing it. (Conference Report, page 7)

in order to facilitate compliance with the resolution, beginning with June 30, 1981, special listings of civil cases pending three years or more were prepared and transmitted to each judge. This program has had a significant impact on the status of three year old pending cases and has resulted in a decline in the numbers of cases.

The number of civil cases pending three years or more in the district courts (excluding land condemnation cases) declined greatly, from 15,275 as of June 30, 1981 to 13,979 in 1982, a decrease of 8.5 percent. This is the lowest number of three-year-old pending cases since 1977. Cases pending three years or more now represent 7.0 percent of the total civil pending caseload, the smallest portion since 1976. A comparison of the age of civil cases pending for each of the twelve month periods ended June 30, 1960, 1965, 1970, and 1975 through 1982 is shown in Table 30.

Table 38
U.S. District Courts
Age of Circl Cases Panding on
June 18, 1983, 1983, 1973, and 1973 through 1982
(Eartholog Land Condemnation Cased)

		Len			or Nove		
Year	Total	Then I Year	I to I	f to J Years	Non- ter	Par-	
1989	81,811	83,791	14,782	7,000	4,212	18.0	
1985	71.841	65,213	16,861	0.001	6,626	0.3	
1975	95,491	90,360	91,019	*A10	9,004	0.0	
	557,895	13,691	21,899	08,237	7,063	8.4	
1676	196,750	#5,#6C	85 AG2	15,664	9,614	8.0	
1977	146,200	*1,013	87,405	88,783	11,800	7.0	
1070 049	897,605	64,613	98,759	19,846	16,094	10.0	
1075	195,658	99,411	85,879	18,489	19,000	88.8	
980	875,798	191,393	07,663	16,620	297, 693	88.7	
	101,241	109,891	98,080	16,733	15,878	8.4	
1962	200 (60)	125,047	61,060	87,779	13,619	7.0	
Persent Ch 1981 over	-4.						
1977	54.8	56.7	47.8	6.4	18.0		
1981	10.4	8.8.7	15.0				

The largest reduction in civil cases pending three years or more was in commerce cases, which decreased from 747 in 1981 to 38 in 1982. Other case types declining substantially include Railway Labor Act cases (down 58.5 percent) and social security black lung cases (down 35.4 percent). The most significant increase was in airplane personal injury cases which rose from 236 in 1981 to 389 in 1982. Table 31 summarizes, by jurisdiction and nature of suit, civil cases pending three years or more as of June 30, 1982.

Notably, the Eastern District of Tennessee had no cases pending three years or more out of a civil pending caseload of \$39. Among districts having three-year-old cases, Wyoming and Oklahoma, Eastern recorded the smallest numbers with three and four cases, respectively. Also noteworthy is the fact that for 1982, nearly one-half of all the U.S. district courts reported declines from 1981 in the number of civil cases pending three years or more. The largest reduction was in Massachusetts, where three-year-old pending cases dropped from 1,873 in 1981 to 867 in 1982. The district with the largest number of civil cases pending three years or more (excluding land condemnation) was Kentucky, Eastern with 1,200, or 8.5 percent of such cases pending in all districts. Even so, this represents a significant reduction from the 1,581 cases pending a year ago.

Table 32 provides a comparison of the number of cases pending three years or more, by district, during the twelve month periods ended June 30, 1981 and 1982 (land condemnation cases omitted). Appendix Tables C-6A and C-6B provide more detailed data on civil cases pending three years or more as of June 30, 1982.

Class Action Litigation Drops

Civil cases filed in the U.S. district courts alleging a class action, pursuant to Rule 23, Federal Rules of Civil Procedure, totaled 1,238, or 8.5 percent of all civil cases filed during the twelve month period ended June 30, 1982. This figure is down 26.0 percent from the 1,672 class action suits filed during the same period in 1981. The percentage of class action filings to total civil cases filed continued a six-year decline, dropping from 2.7 percent in 1976 to 6.5 percent in 1982. The pending class action caseload also continued to decline, dropping 17.4 percent to 3,263 cases in 1982. The 1982 figure is down 48.0 percent from the high of 6,281 cases recorded in 1977. Class action cases as a percent of the total civil pending caseload has declined steadily from 4.3 percent in 1976 to 1.6 percent in 1982. Table 33 is a comparison of the proportion of class action allegations to total civil cases for each of the twelve month periods ended June 30, 1975 through 1982.

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Table 33
U.S. District Courts
Proportion of Class Action Allegations to Total Civil Cases
During the Twelve Month Periods Ended
June 30, 1975 through 1982

		Filling			Pending	
Year	Total	Class Action	Percent of Total	Total	Class Action	Percent of Total
1975 1976 1977 1978 1979 1980 1981	117,320 130,567 130,567 138,770 154,666 168,789 180,576 206,193	3,564 3,153 2,586 2,586 1,568 1,672 1,238	2.7 2.7 1.4 1.5 1.3 0.9 0.9	119,767 140,189 153,606 166,462 177,805 186,113 188,714 205,434	5,184 5,587 6,281 6,014 5,486 4,574 3,950 3,263	4.3 4.1 3.6 3.1 2.5 2.5
Percent O 1982 over 1977 1981	57.9 14.2	-60.7 -26.0	:	33.7	48.0	:

Districts with the largest number of class action suits filed during 1982 were New York, Southern and Illinois, Northern, where 105 and 74 such cases were filed, respectively. Other districts with substantial numbers of class action filings include Alabama, Northern (52); Texas, Southern (48); Chio, Northern (48); and Pennsylvania, Eastern (44). Several districts currently have a substantial pending class action caseload, most notably New York, Southern (221) and Texas, Southern (199). Table 34 summarizes class action suits commenced and pending during the twelve month periods ended June 30, 1982.

A comprehensive analysis of class actions in the U.S. district courts, Report on Class Actions, Volume I (pp. 101-212), was published in 1982 by the Ontario Lew Reform Commission, Toronto, Canada.

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ORDERS DEPENSING WITH OR REQUIRING FILING OF DESCOVERY MATERIALS

Rule Sid) of the Federal Rules of Civil Procedure states that:

"All papers after the complaint required to be served upon a party shall be filed with the court either before service or within a reasonable time thereafter but the court may on motion of a party or on its own initiative order that depositions upon oral examination and interrogatories, requests for documents, requests for admission, and answers and responses thereto not be filed unless on order of the court or for use in the proceeding."

During the 28 month period from November 1980 through June 1982, a total of 405 orders were entered pursuant to Rule 5(d), including 185 dispensing with the filing of discovery materials and 220 requiring the filing of such materials. Table 35 provides a summary, by district, of the orders filed during the 20 month period.

Orders dispensing with the filing of discovery materials may be entered at the request of the parties to the litigation or on the court's own motion. Of the 185 such orders filed, 50 were at the request of litigants and 135 on a motion of the court. The largest number of orders dispensing with filing were entered in the Western District of Pennsylvania with 181. Other districts with large numbers of these orders include Texas, Southern and Georgia, Southern with 32 and 28, respectively.

Orders requiring the filing of discovery materials may be entered at the request of litigants or representatives of the media. During the period from November 1980 through June 1982, a total of 220 such orders were entered, all at the request of litigants. The most orders requiring filing during the period were entered in the District of Minnesota with 59. Other districts with large numbers of such orders include Montana (52) and New Mexico (40).

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Transfer of Cases Under Title 28 U.S.C. Section 1487

The Judicial Panel on Multidistrict Litigation acted upon 683 civil actions pursuant to Title 28 U.S.C. Section 1407 during the twelve month period ended June 30, 1982. The Panel transferred 454 cases originally filed in 68 different district courts to 17 transferre districts for inclusion in coordinated or consolidated pretrial proceedings with 229 actions already pending in the transferre districts. The Panel decied transfer of 135 actions.

Since creation of the Panel in 1968, there have been 11,594 civil actions centralized for pretrial proceedings. As of June 38, 1982, there had been 8,814 actions remanded for trial, reassigned within the transferee district, or terminated in the transferee court. At the end of this year, there were 2,288 actions pending throughout 25 district courts.

Tables 36 and 37 provide statistics on the number of cases transferred since the Panel was created, and the flow of cases into and out of the districts during the current year and cumulative since 1968. Information on specific cases can be obtained from the Judicial Panel on Multidistrict Litigation.

Table 36 Cumulative Summary of Actions Subjected to Title 28 U.S.C. Section 1407 Proceedings, 1968 through 1982

Actions	Adjusted As of July 1, 1961	1982	As of June 30, 1982
Transferred	6,926	454	7,380
Originally Filed in Transferee Districts	3,485	229	3,714
Total Subjected to Section 1407 Proceedings	10,411	683	11,094
Terminated by Transferee Courts or Remanded by the Panel	(008, 7)	(1,014)	(8,814)*
Total Presently Pending and Subjected to Section 1407 Proceedings	2,611		1,280

Includes a total of 2,041 actions which have been remanded by the Panel and 47 actions reassigned to transferor judges within the transferoe district.

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CRIMINAL CASES

Summary of Workload

During the twelve month period ended June 30, 1982, criminal case filings, exclusive of transfers, increased by 4.2 percent from 30,355 cases last year to 31,823 this year. This is the second year that the criminal caseload has increased, following declines in three previous years. Filings by transfer from other district courts increased 13.8 percent from 922 cases to 1,859. Case terminations also rose, with 31,889 terminations, or 5.5 percent more than the 30,221 last year. Table 38 highlights criminal activity in the courts for selected years since 1960.

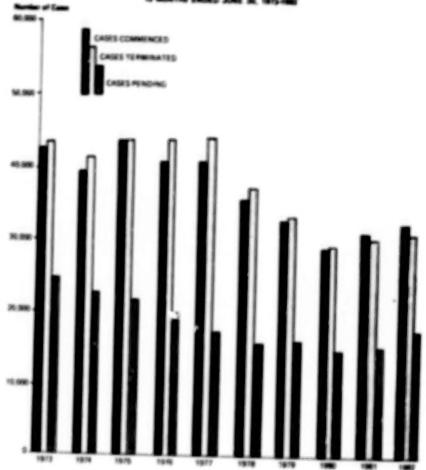
There were 793 more cases filed than terminated during the year. This resulted in a 5.0 percent increase in the pending caseload, from 15,866 cases pending on June 30, 1981 to 16,659 cases pending on June 30 this year.

Table 38
U.S. District Courts
Criminal Cases Commenced, Terminated, and Pending
During the Twelve Month Periods Ended
June 30, 1960, 1965, 1970, 1975 through 1982

		Tot	al filed		
Year	Pending July 1	Original Pro- ceedings	Received by Transfer	Total Term- inated	Pending June 30
1960	7,727	28,137	1,691	29,864	7,691
1965	9,578	31,569	1,765	32,678	10,834
1970	17,770	38,102	1,857	36,819	20,910
1975	22,644	41,108	2,174	43,515	22,411
1976	22,411	39,147	1,873	43,675	19,756
977	19,756	40,000	1,589	44,233	17,150
978	17,150	34,624	1,359	37,286	15,847
1979	15,847	31,536	1,152	33,411	15,124
980	15,124	27,968	953	29,297	14,759
981	14,759	30,355	932	30,221	15,866
1982	15,866	31,623	1,059	31,889	16,659
Percent Chang 1982 over					
1981	7.5	4.2	13.6	5.5	5.0

ALL CRIMINAL CASES COMMENCED, TERMINATED AND PENDING*

OF MENTAL ENGINE AND 30, 1975-1985



From Francisco Constructions

Appendix Table D-1 provides the number of cases and defendants filed, terminated, and pending (inclusive of transfers) by offense levels in the district courts during 1981. The offense levels are defined as:

Felony offense - A criminal offense punishable by imprisonment for a term exceeding one year (Title 18 U.S.C. Section 1).

Misdemessor offense - A criminal offense punishable by imprisonment for a term not exceeding one year without regard to the fine amount involved (Title 18 U.S.C. Section 3401).

Petty offense - A criminal offense punishable by imprisonment for a term not exceeding six months or a fine of not more than \$500 or both (Title 18 U.S.C. Section 1(3)).

The distinction by offense level is provided in Appendix Table D-1. In order to reduce the criminal tables, the felony data has been omitted from all other appendix tables this year.

Case Filings by Type of Proceedings

A criminal case is filed in the U.S. district court by 1 of 11 types of proceedings. Appendix Table D-2 provides for each proceeding and the number of cases and defendants commenced during each of the twelve month periods ended June 30, 1978 through 1982. Table 39 provides this information for fellony cases only.

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Appendix Courts*	-	28	99	9.9	65.5

^{*} This data was not exponently recorded prior to August 2879.

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Case Fillings by Major Offense

Appendix Table D-2 provides the number of cases and defendants filed during the years 1978 through 1982 by the type of offense. Data for 1981 and 1982 is summarized in Table 40. Prosecutions for auto theft showed the largest increase proportionately in 1982, with a 21.0 percent increase from 305 cases last year to 369 cases this year. Filings for forgery and counterfeiting offenses increased by 17.6 percent from 1,810 cases to 2,128 cases, and filings for burglary offenses rose by 14.4 percent.

Prosecutions continued to rise for offenses under the <u>Drug</u>
Abuse Prevention and Control Act (DAPCA), with a 13.4 percent
increase in 1982, compared to a 18.1 percent increase in 1981. There
were 4,193 cases filed under DAPCA this year compared to 3,697 last
year. Within the DAPCA category, prosecutions for marihuana offenders increased by 39.9 percent, from 1,189 cases last year to 1,664 this
year.

Case filings for embezzlement rose by 12.9 percent from 1,836 to 2,872 cases in 1982, compared to a 16.3 percent rise in 1981. Prosecutions for weapons and firearms violations rose again this year with a 36.2 percent increase. Last year prosecutions for these offenses rose 40.3 percent. Filings for violations of Agricultural Acts also showed a significant increase, rising by 35.1 percent this year.

Indictment by a grand jury is the most common method to commence a felony case. The number of felony cases commenced by indictment increased by 6.0 percent this year from 16,748 cases in 1981 to 17,756 this year. Proceedings by indictment accounted for 83.2 percent of all felon, cases filed and for 58.2 percent of all criminal cases filed during the year. Felony proceedings commenced by an information when the indictment was waived by the defendant, increased 60.7 percent, up from 484 filings last year to 778 filings this year.

Technical Note

Offere Charifestian for Filings

Criminal eases are classified by the A.O. on the basis of the offence which carries the highest possible penalty at conviction. If several offences are involved and carry the same penalty, the crime against person takes priority over the crime against property. All attempts (except attempted homicide, which is classified (if asseut)) are classified according to substantive offences, as are all imagination, aiding and electing, and accessory crimes. Appendin Tables D-I and D-I were developed using these classification standards.

Table 68
U.S. District Clearle
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Case Filings by District up 4.2 Percent

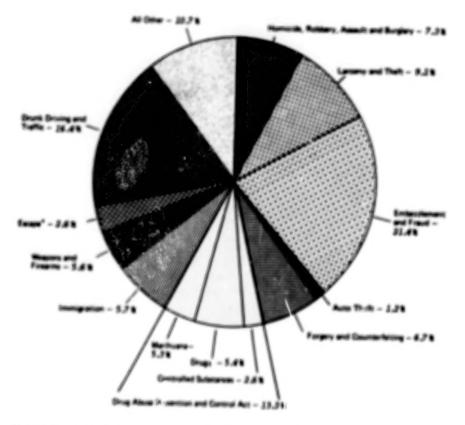
Fifty-three of the 95 district courts reported increases in case filings this year, contributing to the 4.2 percent increase nationally. Thirty-nine districts experienced decreases in case filings, and three districts showed no change this year. Appendix Table D-3 (Cases) indicates the number of cases commenced in 1982 by district and by offense groups; Appendix Table D-3 (Defendants) provides this information for defendants. Table 41 provides the number of cases filed, terminated, and pending in the courts during the twelve month periods ended June 30, 1981 and 1982.

The largest percentage increases in case filings were reported try lennessee, Eastern (up 81.8 percent); Washington, Western (up 66.5 percent increase); Rhode Island (up 48.8 percent); California, Northern (up 48.4 percent); and Alabama, Southern (up 48.1 percent).

ALL CRIMINAL CASES COMMENCED BY OFFENSE

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In Tennessee, Eastern the increase in filings was generally gread among the offense categories, with the largest increases in prosecutions for larceny and weapons and firearms violations. The increase in Washington, Western was primarily the result of 243 additional filings for misdemeanor traffic offense violations this year. The largest increase in an offense category in Shode Island was 22 additional fraud cases; and in Alabama, Southern it was 15 new cases filed under Agricultural Acts. In California, Northern, 60 additional prosecutions for embesziement, 38 for larceny, and 22 for fraud contributed to this district's increase.

The largest decreases in case filings occurred in Georgia, Southern, with a drup of 64.5 percent and in Arkansas, Western, with a 41.4 percent decrease. Case filings in Georgia, Southern dropped from 926 cases in 1981 to 344 this year. This substantial decline resulted from a decrease of 617 filings is traffic offenses.

Case Terminations by District

There were 44 districts 8 at reported increases in the number of cases terminated this year, while 50 districts reported decreases, and 1 district reported no change.

The districts reporting the largest increases in case terminations were Tennessee, Eastern (* . 84.8 percent); Pennsylvania, Middle (up 77.5 percent); Ebode Island (up 72.9 percent); and Washington, Western (up 62.7 percent).

The largest decreases occurred in Georgia, Southern with a 61.6 percent decrease; Louisiana, Middle with a 47.0 percent decline; and Arkansas, Western with a 43.5 percent decrease.

L'aporition of Defendants Increases 6.1 Percent

During the twelve month period ended June 38,1981, there were 49,466 defendents whose cases were disposed of in the U.S. district courts. This was a 6.1 percent increase over the 38,127 defendants disposed of last year. Data on defendant dispositions appears in Appendix Tables D-4 and D-5. Table 42 summarizes the methods of disposition during 1981 and 1982.

This year, 32,252 defendants were convicted and sentenced, 8.0 percent more than the 29,868 convicted and sentenced last year. Convicted defendants accounted for 79.7 percent of all defendants disposed of in U.S. district courts. This conviction rate is slightly higher than the 78.3 percent conviction rate last year.

Of the 32,252 defendants convicted, 26,255 or 81.7 percent pied guilty. Another 3.2 percent (1,837 defendants) pied nois contenders. The number of defendants convicted by a court trial was 3.7 percent of the total convicted, while those convicted by a jury trial accounted for 11.3 percent.

There were 8,214 defendants who were not convicted, slightly less than the number last year. Of these, 7,851, or 85.4 percent, were dismissed; 225 were acquitted by court trial; and 938 were acquitted by jury trial.

Table 42 summarizes the types of sentences imposed on convicted defendants during 1981 and 1982. A regular imprisonment term was imposed on 19,673 defendants, or 33.1 percent of the total convicted this year. The average sentence for regular imprisonment was 58.6 months compared to 35.3 months last year. Defendants receiving probation sentences totaled 12,723, or 39.4 percent of the convicted defendants, with an average term of 32.3 months. Defendants sentenced under special statutes comprised 16.1 percent of the total sentenced. Special statutes include split sentences, indeterminate sentences, and Youth Corrections Act or youth offender sentences.

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Disposition by Offense

Drug offenses under the <u>Drug Abuse Prevention and Control Act</u> (DAPCA) accounted for 7,981, or 19.7 percent, of all defendants disposed of during the twelve month period ended June 38, 1982. Within the DAPCA category, there were 3,266 dispositions for maribusns violations, 1,473 for controlled substances, and 3,262 for narrotte drugs. Fraud offenses accounted for 5,806 defendants terminated (14.4 percent), due mostly to income tax fraud, postal fraud, and calse claims and statements. Drunk driving and traffic offenses accounted for 5,162, or 12.8 percent of the defendants terminated. Appendix Tables D-4 and D-6 provide detail data on defendant disposition information by the type of offense.

Disposition by District

The largest number of defendants disposed of by a district court this year was the 2,100 defendants disposed of in Texas, Southern. This district has consistently had the largest numbers of criminal dispositions, with 1,827 defendants terminated in 1981 and 1,643 in 1989. Other districts reporting large numbers of defendant dispositions were Hawaii, with 1,937; Virginia, Eastern with 1,787; and Florida, Southern with 1,763. In Hawaii, close to 90 percent of the dispositions were for defendants charged with traffic violations.

Florida, Southern sentenced 847 defendants to regular imprisonment terms, the largest number recorded this year. Other districts reporting significant figures for sentencing were New York, Eastern (397); New York, Southern (355); and Texas, Southern (353). Appendix Table D-7 indicates the number of defendants terminated in 1982 in each of the U.S. district courts by the type of disposition and sentence.

The highest everage sentences imposed for regular imprisonment were 129.8 months in Florida, Northern; 128.3 months in Georgia, Southern; and 114.0 months in Oregon. On a national basis, the average sentence imposed was 58.6 months.

Median Time from Filing to Disposition Up to 4.3 Months

The median time interval is the middle time value where onehalf of the defundants had cases disposed of in greater time than the median, and one-half had cases disposed of in less time than the median. The time intervals are computed from filing to disposition, including conviction, acquittal, and dismissal. For convicted defendants, the interval covers all time through sentencing, including time for observation and study.

Nationally, the median time from filing to disposition was 4.3 months for the 40,466 defendants disposed of during the twelve month period ended June 20, 1982. This is 1.1 months longer than the 3.2 months median from last year. The median time interval for court trial increased to 4.4 months in 1982, while the jury trial median time increased from 5.4 months last year to 6.0 months this year.

The Middle District of Georgia had the lowest median time interval for a district court again this year, with a median time of 1.8 months. This district has had the lowest median time interval for criminal case dispositions each year since 1978. The low median in Georgia, Middle results from a large number of dispositions for traffic offenses. Out of 1,114 defendants disposed of this year, 307 or 81.4 percent were for traffic violations. Virginia, Eastern also reported a low median time of 2.0 months.

Appendix Table D-6 indicates the median time intervals from filing to disposition of criminal defendants in each of the district courts during 1982.

Pending Cases by District.

The number of cases pending on June 30, 1982, increased in 57 districts, decreased in 35 districts, and 3 districts reported no change. The largest percentage increases occurred in North Carolina, Middle and Oklahoma, Western. In North Carolina, Middle, there were 70 cases pending on June 30, 1782 compared to 33 cases pending on June 30, 1981, an increase of 112.1 percent. This increase resulted from 12 additional pending fraud cases, as well as smaller increases in other offense categories. Oklahoma, Western had an increase from 78 cases pending last year to 158 this year, a 102.6 percent increase. This increase is attributed to 84 additional fraud cases pending on June 30.

Other than in the district court for the Canal Zone, which was phased out March 31, 1982, the largest reductions in pending cases occurred in Alabama, Middle and Pennsylvania, Middle. Alabama, Middle showed a 34.7 percent decrease, from 72 cases pending on June 30 last year to 47 on June 30 this year. The decrease there was reported in most of the offense cate, cries. Pennsylvania, Middle had a 21.1 percent decrease from 122 pending cases to 95 this year, primarily as the result of 31 fewer pending fraud cases.

Pending Cases by Offense

The number of cases pending on June 30, 1982 increased by 5.8 percent. There were 16,659 cases pending in the U.S. district courts on June 30, 1982 compared to 15,866 cases pending last year. Table 43 compares the number and type of cases pending on June 30, 1981 and 1982 with cases with fugitive defendants. Of the 16,659 cases pending on June 30, 1982, there were 7,413 (44.5 percent) cases involving non-triable fugitive defendants who cannot be tried until they are apprehended. This means close to half of all pending cuses were not active cases on the courts' dockets because of fugitive defendants.

Pending cases involving drug laws increased by 6.7 percent this year and again accounted for the largest proportion of probling cases. The 4,262 percent drug cases accounted for 23.4 percent of all pending cases. Of the drug cases, 2,488 (58.4 percent) were cases involving non-triable figitive defendants.

Table 63
U.S. District Courts
Criminal Cases Funding Jone 30, by Nature of Offerse,
During the Testine Month Periods Ended Jane 30, 1381 and 1982

	1	10		5862		
Nature of Officese	at at at	eith l'agi- lies Debes- cants	jrj	Cases with Figi- tive Defen- dents		
Teal	25,000	7,283	16,810	7,413		
Remirish		100	54	.:		
Amail	100	27	275	134 43 16		
Bergar	-	20	78	36		
Larcens and Theft	1,234	343	1,148	972		
Embergiement	2,460	**	639	110		
Freed	2,460	766	2,450	816		
Auto Theft	179	72	362	78		
Forgery and Counter- feiting	942	487	1,846	386		
(DAPCA)	3,594	2.612	4,342	2.488		
Miscellaneous Ceneral				-		
Offeres	3,793	1,139	1,861	2,130		
Nespons and Firearms	750	263	918	722		
Other MaceSeneous						
General Officiars	2,541	1,075	2,863	1,800		
Immigration Love	974	=	-	921		
	-	365	900	260		

Total pending fraud cases increased by 7.8 percent this year and accounted for 2,652, or 15.9 percent, of the pending caseload. Defendants in 30.7 percent of the pending fraud cases were fugitives from justice.

Pending Defendants Increase 6.5 Percent

On June 30, 1982, there were 24,032 defendants pending in criminal cases, compared to 22,570 defendants pending on the same date last year. This represents a 6.5 percent increase. Last year, the number of pending defendants showed a similar increase of 6.7 percent between June 30, 1980 and 1981. Table 44 provides the status of defendants pending on June 30, 1978 through 1982. Appendix Table D-10 is a summary of the status of pending defendants by district for 1982.

The largest proportion of pending defendants are defendants who became fugitive prior to trial. These non-triable fugitive defendants accounted for 9,745, or 40.6 percent. The number of fugitive defendants increased by 5.7 percent this year over the number of fugitive defendants on June 30 last year.

The next largest proportion of pending defendants were those who had a triable status on June 30. Triable defendants accounted for 9,623, or 40.0 percent of the pending defendants. The largest proportion of the defendants classified as triable are those which are immediately available for final plea or for trial. This status accounted for 7,546 pending defendants, 78.4 percent of the triable defendants and 31.3 percent of all pending defendants. Other triable defendants

include defendants committed under Title 18 U.S.C. Section 4245 and defendants in certain excludable delay categories which can be considered triable. The categories of triable defendants are shown in Table 44.

State of Criminal Defendant Presing or of June 36, 1975 through 1981

Note				,=		1
Tel	11,64	BLAST	21,230	21,579	14,611	6.5
Table	45	-	*	em em	170	1.7
galle delegal - one provint, named galle project			3,817	1,010	-	.,
	1,500	.,	4,787	4,213	1,540	44.0
		1.3	14	13	13	43
Allering for Stational reported by U.S. Allering from Department of Audies		100	200	963		441
dia or Federal trab at other						-
Combined providing, priorities woulded, deprivation providings, extending						41
with of marks or physical terrepresent of defendent to stand that		-			87	18.3
These Delectors - Trial	84	***	***	1,00	***	**
makind outs (\$456						-
	1,180	4,571	1,940	1,44	1,500	14
	17	104	911	7	100	**
	204	. 10	12	-	298	17.4
marine the edge derived (F.A.C.A.F., 19.2) and de liggisted flat of					*	70.0
ender! Action & or besty under		_	188	m	-	-
responsible from section district or to	-	_		-	-	
		*				180.0
			41	87	**	3.5
		24		20		275.0
vision positing that of on-third and an arrange product of the position of the		***	-7		4	
Trial Delegation - Steel		13.4	12.0	13.4	15.4	13
		1,500	1,000	1,073	1,011	**
	1 220	111 257			10	==
		***	100 3.7	13	***	84
imped jury indirectment time extended IN W mare dupt W mare dupt with control who cannot be chamiled wither excludation delay of colors should						-
water excludate to be or other claim			-	-	-	ma

Tried defendants (those awaiting sentence, committed for observation and study, and fugitives after trial) accounted for 3,760, or 15.6 percent, of all defendants pending on June 30, 1982. The only category of pending defendants that decreased this year was the non-triable defendant category. This category accounted for 281 defendants this year (1.2 percent) compared to 300 last year. There were 623 defendants that could not be classified in the status categories used to classify the pending defendants. Appendix Table D-9 provides data on all triable defendants pending on June 30, 1982 by the type of offense and by district.

Table 45 presents data for 1979 through 1982 on all defendants and fugitive defendants pending by the length of time the defendants have been on the court's docket. This data reveals a positive correlation between the length of time pending and the proportion of fugitive defendants. In 1982, the majority of defendants pending over two years are fugitive defendants, and close to 95.0 percent of all defendants pending for five years or more are fugitive defendants.

IMPLEMENTATION OF THE SPEEDY TRIAL ACT

Introduction

The Speedy Trial Act of 1974 (Title 18 U.S.C. Section 3161-3174) was implemented on July 1, 1976. The A.O. published annual reports on the Speedy Trial Act for each year 1977 through 1981. Beginning with this year, statistics on Speedy Trial Act compliance will appear only in this Assumal Report.

It is important to note that during the first three years of the Speedy Trial Act the district courts were undergoing a transition to the final time limits set forth in the Act. Beginning August 9, 1979, the final time interval from arrest to indictment (referred to in this report as the First Interval) became 30 days. For the second time interval, indictment to trial, the final time interval became 70 days. The Speedy Trial Act provided several reasons for excluding time in determining compliance with the time intervals. The time periods of these delays are excluded in the accounting for the procedural time of each defendant where such exclusions apply.

In previous years, the incidence of and the reasons for excludable delays have been discussed in each report. Beginning July 1, 1981, the courts were no longer required to report excludable delays on all defendants to the A.O. except for those whose net time exceeded the 30/70 day intervals. For this reason, occurrences of excludable delay time will not be discussed in this report.

Dismissals Under Title 18 U.S.C. Section 3162(a)

Beginning September 1980, the clerks of the U.S. district courts were asked to provide reports on defendants whose criminal charges were dismissed pursuant to provisions of Title 18 U.S.C. Section 3162(a) of the Speedy Trial Act of 1974.

Table 45
U.S. District Cour.s
Pugitive Defendants and All Defendants Pending as of June 38, 1982 by Length of Time Pending

Status on June 30	Total	0 to 5 Months	6 to 12 Months	13 to 34 Months	25 to 36 Months	37 to 48 Months	49 to 60 Months	61 Months and Over
Total, 1992	24,832	12,204	2,799	2,349	1,277	858	751	3,794
Pugitive Defendants (Non-Triable) - 1982	9,745 48.6	1,641	927 23.5	1,293 55.0	901 70.5	718 63.7	682 90.8	1,573 94.2
Total, 1981	22,570	11,091	2,919	2,133	1,244	903	663	3,617
Pugitive Defendants (Non-Triable) - 1981	9,223	1,396	960 32.9	1,102 55.4	911 73.2	774 85.7	606 91.4	3,294
Total, 1980	21,150	10,082	2,620	2,170	1,198	636	978	3,266
Pugitive Defendants (Non-Triable) - 1985	8,674 41.0	12.8	772	1,125 51.8	915 76.4	744	904 92.4	1,926
Total, 1979	21,417	10,279	2,905	2,052	1,103	1,197	951	2,930
Fugitive Defendants (Non-Triable) - 1979	1,586 62.0	1,317	997 34.3	1,255 61.2	878 79.4	1,842	831 87.4	2,666 91.0



For the first 10 months there were 19 dismissals. Nine dismissals were without prejudice; five were dismissed with prejudice; and five were not indicated. This year there were 21 defendants dismissed under provisions of Title 18 U.S.C. Section 3162(a), 10 without prejudice and 11 with prejudice.

In the first year (ten month period), three defendants had their cases dismissed because the net time was greater than 30 days in the first interval, that is, from arrest to indictment. This year, there were only two such cases. The balance of the dismissals resulted when the second time interval exceeded the 70 day time period. For the first year (10 months) there were 16 defendants so dismissed and for the current year the number was 19.

For the entire 22 month period no sanctions were imposed against U.S. attorneys or against defense counsel.

Table 46 provides data on the district courts in which Speedy Trial interval dismissals occurred and shows whether the criminal case was dismissed with or without prejudice.

Table 66
U.S. District Courts
Criminal Defendants Whose Cases Were Dismissed
Pursuant to Title 18 U.S.C. Section 3162(a) 1981 and 1982

	_		1.		1902				
		rst rval	Sec	rond rvai	Pi	ret	Sec	rend Freal	
District	W/O	W/P	W/0	W/P	W/O	W/P	W/O	W/7	
Colorado									
District of Columbia			1			-			
Florida, Middle			•			-			
Florida, Southern			i			-		-	
Georgia, Northern							:	i	
Minois, Northern	١.								
Dinots, Southern						-	-		
Indiana, Southern						-			
Karaas			1			-			
Maine	1 -						1		
Vassarhusetts									
Michigan, Western									
MUNICIPAL TRANSPORTER TO THE PARTY OF THE PA							-		
lew York, Eastern				- 1					
len Tark, Western			1 2	11				i	
ennsylvania, Eastern	١.			,					
enneylvania, Western				: 1	-	-	-		
outh Carolina				- 1	-	-	-		
exas, Northern	1 :			- 1		-			
exat, Western							1		
feshington, Eastern				.					
Fest Virginia, Morthern				. 1	-	-	*		

^{*} Beginning September 1, 1988.

W/O- Without Prejudie

W/P- With Prejudice

Speedy Trial Intervals One and Two Compliance Improves

During the current year, there were 10,861 defendants for whom the Interval One requirement applied (30 net days from arrest to indictment or information). Of these defendants 10,226 or 95.9 percent were indicted within 30 days or less. In 1981, 94.2 percent of all defendants in Interval One were indicted in 30 days or less, while in 1980, there was a \$6.3 percent compliance with Interval One. (This was the last year before sanctions could be applied).

There were 35,960 defendants who came under the interval Two 70 day limit. Of these, 34,655, or 96.3 percent, were brought to trial, dismissal, or plea within 70 net days after the indictment or information. This compares to a 93.4 percent compliance rate in 1961 and a 88.3 percent compliance rate in 1960.

Of the 95 district courts, 45 reported a 100.0 compliance rate with the interval One time limits. Nine districts reported less than a 90.0 percent compliance with the interval One requirements. There were 24 districts which had a 100.0 percent compliance with interval Two. Seven districts had less than a 90.0 percent rate of compliance for interval Two.

Table 47 summarizes national data on defendants under the Speedy Trial Act in 1980, 1981, and 1982. This data indicates an overall improvement in complying with the net time requirements of the Act.

Table 47
U.S. District Courts
Defendants Terminated with Speedy Trial Intervals One or Two
During the Twelve Manth Periods Ended
June 30, 1880 through 1881

Intervals	1900	1901	1982
First Intervals			
Total Defendants	13,290	14,773	19,661
Defendants Indicted in 38 Het Days or Less Following Arrest Percent of Total.	11,577	13,613	10,230
Second Intervals Total Defendants	11,610	31,310	35,000
Defendants Tried in 70 Net Deys or Less Following Indictment Percent of Total	10,304	11,000	*411

Appendix Table D-11 presents defendants whose cases were subject to the requirements of the <u>Speedy Trial Act</u> during the twelve month period ended June 30, 1982. The table provides data on Interval One and Interval Two in each of the 95 district courts.

Interval Three - Time Interval Between Conviction and Sentence

Though the <u>Speedy Trial Act</u> does not require a time limit between conviction and sentence, a 45-day time limit has been recommended by the Committee on the Administration of the Criminal Law of the Judicial Conference.

Of the 31,588 convicted defendants who were subject to the Speedy Trial Act in 1982, there were 23,166 (73.3 percent) sentenced in 45 days or less. Comparable figures for 1981 were 21,977 (75.1 percent) of the convicted defendants sentenced in 45 days or less. New Hampshire and the Canal Zone sentenced all defendants in 45 days or less during 1982. Fourteen other districts sentenced 90.0 percent or more of the defendants in 45 days or less. Information on Speedy Trial defendants who were sentenced in 45 days or less is displayed in Appendix Table D-12.

Excludable reasons for delay are not applied to the time period between the dates of conviction and sentence. Therefore, time which can be excluded from calculations for Speedy Trial Intervals One and Two cannot be excluded from the time from conviction to sentence. All time is included in the computations in Appendix Table D-12, including time for defendants who were sentenced after a period of observation and study, defendants who jumped ball and were sentenced after apprehension, and those who appealed their conviction before sentencing.

Detention Time

Appendix Table D-13 provides data on defendants disposed of in the courts who were detained in custody prior to dismissal, plea of guilty, or trial. Custody is defined as detention in either a Federal correctional facility or in a local or state detention facility where payment is made by the U.S. This includes detention in metropolitan correctional centers or other correctional institutions administered by the U.S. Bureau of Prisons. Detention time includes only time a defendant is held solely on Federal charges, and does not include custody on any subsequent Federal charge; nor does it include any time during which a defendant is also being held for state or local charges.

The districts with the highest rates of detention in 1982 were California, Southern, detaining 78.2 percent of the total defendents disposed of in their district; Arizona, with a 57.5 percent detention rate; and Florida, Southern with a 57.1 percent detention rate. California, Southern and Arizona are border districts and detention is required to be certain the defendant will be available for trial. For Florida, Southern, many defendants are highly mobile and are being prosecuted for drug law violations.

Of the 6,621 defendants reported as dotained this year, 4.8 percent were held over 90 days.

WEIGHTED CASE FILINGS PER AUTHORIZED JUDGESHIP

The total number of weighted filings per authorized judgeship increased again in 1982. Weighted filings increased by 6.9 percent over last year to 417 weighted civil and criminal filings per authorized judgeship.

The most striking change since last year was in civil fillings. (See Table 48.) In 1981, the weighted and unweighted civil fillings per judgeship were nearly equal at 345 and 351, respectively. This year, the unweighted is much larger than the weighted, with 401 actual fillings per judgeship compared to 370 weighted fillings. This change is due primarily to a large increase in U.S. plaintiff recovery of overpayments and enforcement of judgment cases. There were 29,839 of these cases in 1982 (compared to 18,161 last year), but they are weighted only 0.3 percent of the "average" case (with a weight of 0.03 compared to 1.00 for the average case). When these cases are excluded the weighted civil fillings figure drops from 370 to 368.

Table 48
U.S. District Courts
Case Filings Per Authorized Judgeship
During the Twelve Month Period Ended
June 30, 1979 through 1982

Case Pilings	1979	1980	1981	1982
Authorized Judgeships	511	511	511	511
Total Weighted	344	353	390	417
Civil	296 48	311 42	345 45	370
Total Unweighted	344	365	389	442
Civil	299 45	327	351	401

Note: Criminal includes felony only and excludes transfers. Territorial Courts are excluded.

Appendix Tables X-1 and X-1A list the weighted and unweighted fillings for each district. Appendix Table X-1A lists felonies only for the criminal cases because that provides a more realistic picture of the district judges' workload.

A complete discussion of the weighted caseload and its history in the Federal courts can be found on pages 290-295 of the 1980 Assumi Report of the Director. The 1979 Federal District Court Time Study, published by the Federal Judicial Center, describes the study which produced the weighting system currently in use.

TRIALS

Trials Completed

For the purposes of this report, a trial is defined as a contested proceeding before a court or jury in which evidence is introduced. During the past twelve months, Federal judges in the U.S. district courts completed a total of 21,397 civil and criminal trials. This was a 0.7 percent increase over the 21,239 trials reported in 1981. Of the trials completed during the year, 68.9 percent involved civil cases and 31.1 percent involved criminal cases. In 1982, civil trials continued to increase for the fourth consecutive year. These trials grew to 14,753, up 0.4 percent from the 14,897 civil trials recorded in 1981. Criminal trials also increased during this twelve month period, rising 1.5 percent from 6,542 trials in 1981 to 6,844 trials in 1982. While the number of criminal trials increased from the previous year, the total is still 22.5 percent lower than the high of 8,571 in 1973.

During 1982, non-jury trials accounted for 61.5 percent of all the trials completed while jury trials comprised only 38.5 percent of the total. These percentages were relatively the same as those reported in 1981. Table 49 provides a summary of the number of trials completed, by type, during each of the twelve month periods ended June 30, 1960, 1965, 1970, and 1975 through 1982. Appendix Table C-7 provides additional data, by district, on the number and types of trials completed during the twelve month period ended June 30, 1982.

Table 49
U.S. District Courts
Trials Completed
During the Twelve Wanth Periods Ended
June 38, 1948, 1968, 1978, and 1975 through 1982

			CME			Crimina	1
Year	Total Trials	Total	No.	Juny	Total	11	Jury
1960 1975 1975 1978 1977 1977 1979	1,098 11,485 16,632 19,540 19,540 16,827 18,563 18,563 19,625 71,239 21,397	6,480 7,813 8,460 81,860 81,860 81,860 81,510 81,510 81,510 81,510 81,510 81,510 81,510 81,510	1,453 4,459 4,659 7,963 6,996 7,792 6,296 6,340 9,254 18,847 10,874	\$5000000000000000000000000000000000000	£555151555	1,000 1,143 1,257 1,770 1,771 1,461 1,544 1,156 1,561	1,507 1,779 4,239 4,607 5,151 4,561 1,607 1,618 1,500 1,618
Percent C 1993 eve 1977 1981	13.7 6.7	27.4	"13	112	11	"11	414

Longth of Trick

While the total number of trials completed during the year rose 0.7 percent, the number of long trials (those lasting four days or more), decreased by 0.5 percent to 4,423 trials. These long trials accounted for 21.5 percent of all trials or opposed to 21.3 percent in 1981. Civil trials computed 65.5 percent of the long trials completed during the year, with the majority of them involving a jury. Of these lengthy civil trials, 20.3 percent consisted of trials of civil rights cases.

Trials which ran for 20 days or more declined 12.3 percent during the year, dropping to 164. In 1982, jury trials accounted for 75.6 percent of the trials lasting 20 days or more, down from the 78.1 percent recorded in 1981. On the other hand, non-jury trials comprised 24.4 percent of the 20 day or more trials, a slight increase over last year. During the year, the U.S. district courts completed two notable trials that exceeded 20 days. The first was a non-jury civil antitrust trial involving U.S. v International Business Machines (IBM), which began on May 19, 1975. This trial, the longest for 1982, was conducted in the Southern District of New York, and lasted a total of 672 separate trial days. The second trial was a criminal jury trial involving U.S. v John W. Hinckley, Jr., and was related to the attempted assessmetion of the President in Washington D.C. in March 1981. This jury trial was held in the U.S. District Court of the District of Columbia. It began on April 27, 1982 and lasted for 41 separate trial days. Table 50 is a comparison of completed trials, by length, during each of the twelve month periods ended June 30, 1975 through 1962. Appendix Table C-6 provides additional information on the length of trials, by type of case. Appendix Table C-9 provides a list of each completed trial lasting 20 days or more.

U.A. Derive Courts Large of Trick During the Twelve Street Parks Stated Ages 34, 1973 Daylogs (88)

Languis of State	1975	1976	1977	tasa.	1819*	1880	1861.	1007-	IMB/
•	10,200	10,000	10,007	14,795	18,654	19,000	-	11,017	6.7
	1/10 1/0 1/0 1/0	553511			355	1,00	120	1,010 1,010 1,710 1,710 101	treete
225	18.6	18.5	18.5	17.5	18.0	-	n.		
Arry Trick Only	.,	6,700	8,574	1,000	1,00	1,010	4,000	1,546	
Personal of Total	44.7	44.0	***		84	27.0	30.0	20.0	
	THE.	1,755 1,755 1,755 1,754 150 80	1,000	· iii		-	1	THE PERSON	tettet
Personal I Page and Own	28.0	18.5	81.4			m.	-		

^{*} Rangelow treats of misself-management

Median Time from James to Trial

For the purposes of this report, the date issue is joined is defined as the date the last answer or response of the defendant is filled. During the twelve month period ended June 30, 1982, the median time from issue to trial in civil cases in which trials were completed remained unchanged from last year at 14 months. The median time for non-jury trials was 13 months, while the median time for jury trials was 14 months. For each of these two types of trials, the median dropped by one month compared to 1981. Table 51 provides a comparison of median time intervals for the twelve month periods ended June 30, 1965, 1970, and 1975 through 1982.

Table 51

S.A. Perriet Courts

Median Time interval from issue to final in Chril Cours,
in which Trials Mare Completed,
During the Twelve Harth Fariable Ended

Avec 25, 1955, 1975, and 1975 Streets 1985

	Total	Trisis	Non-der	y Trink	Aury Trials		
Year	Number	Nacion (in Nacion)	Norther	14	Renter	(in	
IMI	6,385	81	1,314		1,001	12	
1070 0200	1,210		2,701	10	1,700	14	
1975	0,485 0,441 0,560	- 11	4.463		1,700	12	
1977	8,366	12	4,455	11	1,010	- 11	
	7,288	13	4,287	13	1,050	1.0	
	1,881	14	4,307	16	1,570	18	
	9,700	15	4,011	38	3,766	28	
	1,301	11	55 55 55 55 55 55 55 55 55 55 55 55 55	13	1,050 1,270 1,764 4,421 4,421	15	
Percent Che	-de						
1977	16.0		14.7		17.6		
1961	44		44		14		

furtheles the following trials: Land condensation, forfollows and penalty count, prisoner politices (heleas corpus, motions to recute sentence under Title 28 U.S.C. Section 1235, hearings on evidentiary matters), bestimptry politics, and three judgmentary cases.

In 1982, the shortest median time from issue to trial was five Lonths, recorded in both Virginia, Eastern and Tennessee, Eastern. Other short median times were posted in Alabama, Middle (six months) and Missouri, Eastern (seven months). The longest median time from issue to trial during the year was reported in the Middle District of North Carolina at 41 months. This long median is the result of the district's efforts to reduce the backing of three-year-old cases, in accordance with the March 1981 resolution of the Judicial Conference. Appendix Table C-10 provides a summary of median time intervals, by district, for the twelve month period ended June 30, 1982.

THREE-JUDGE COURT HEARINGS

The volume of cases heard by a three-judge district court increased T7.1 percent during the year ended June 30, 1982. During 1981, a total of 35 cases were reported in comparison to 62 in 1982. Cases with hearings (or submission on briefs) before a three-judge district court, however, have dropped T0.2 percent since legislation was passed in June 1976 reducing requirements for designating three-judge courts.

Title 28 U.S.C. Section 2364 provides that a district court of three judges shall be convened when the constitutionality of the apportionment of a Congressional district or a statewide legislative body is challenged or when required by special statute elsewhere in the law. Such statutes include three-judge court provisions of the <u>Voting</u> Eights Act of 1965 and the <u>Civil Rights Act of 1964</u>.

Table 52 U.S. Discrete Chapte There design Chart Rearings By Nations of Bull Daving the Texton Rearing States and Little Chapters

Name of Sale	OPTS	-	B."	100	1979		-	-
₩		-	517			-		
form of ICC felon		-						
	•							-
M Lyb	187	-		94	-		201	-
Portion Lans	19							
	***				(8)	(6)		6
A	***							-
PP7774477417744								1
		-						0
Manager 22222222	-	-						- 1
22111111111		- 1	- 2	•				- 1
22322222222222222		- 8	- 1					4
Rendered Regulations		-	- :					1

		-	-	-	-	-	-	-
Brillans, social sensetits,		-	-	-	-	-	-	
are resimpted baseful		-						
Constitutionality of other state		-		-			_	
######################################								
Others feet persident or enterests				-	-	-		
	***	20	10			-		
2 Com	10	**	-	-				

[·] HCC - Married Common Common

Table 53 indicates that the 62 three-judge court hearings were held in 38 districts during the year ended June 30, 1982. The District of Columbia reported nine hearings (14.5 percent of the total), Minnesota reported four hearings, and Mississippi, Northern and Illinois, Northern each reported three hearings. The remaining districts reported only one or two hearings each.

The majority of hearings were on reapportionment cases which increased from one case in 1981 to 42 cases in 1982. The increased number of such cases was due to disputes in many districts with the 1980 census which was used in establishing Congressional districts. A total of 19 civil rights cases were heard last year by three judge panels;

If were voting rights cases and the remaining five concerned other areas such as education and employment. The one case classified as "All Other" involved a complaint to enforce U.S. postal laws relating to the franking privilege of members of Congress.

Table 10

S.A. Derrier Courts

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JURGE UNAGE

Grand and petit jurar statistics are reported monthly to the A.O. by all U.S. district courts. The Grand Jurar reporting form (JS-11G) and the Petit Jurar reporting form (JS-11) provide the statistics used to compile the following information.

Data on estimated payments to jurors is not available at this time, but will appear in the 1962 report, Jurur Dange in U.S. District Courts.

Grand Jury Activity Ductions

As Table 54 summarizes, grand jury setivity declined in most entegories in 1902. The total number of grand jury sessions convened decreased 4.4 percent from 18,997 in 1901 to 18,500 in 1902. This reversed an increasing trend that began in 1975, the first full year statis-

ties were collected on grand jury activity. Correspondingly, the number of jurors in semion declined 4.4 percent and the number of hours in semion declined 4.5 percent. Nationwide, there were 739 grand juries in existence at some time during the year ended June 38, 1982, an increase of one over 1981. Seventeen more grand juries were discussed than in 1981; however, 19 fewer grand juries were impaneled.

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A regular grand jury meets to investigate evidence that a specific erime was committed in a district. Its term of service is 18 months, but it may be discharged by court order at any time during that period.

A special grand jury meets to study the overall picture of criminal activity in a district. Its term of service can last up to 36 months. A special grand jury generally serves as an advisory body, usually has greater discretion than a regular grand jury, and often substits a report go organized crime or the misconduct of sublic officials in a district. Of the 739 grand juries in existence during 1982, 178 (16.2 percent) were special grand juries. Detailed information on special grand juries will be included in the 1982 report, Jurer Usage in U.S. District Courts.

Table 35 provides the number of cases commenced by indictment, the number of defendants proceeded against, the total number of grand jury sessions, and the number of hours in session for 1977 through 1992. Continuing an increasing trend which began last year, the 18,415 cases commenced by indictment and the 29,384 defendants proceeded against by indictment represent rises of 6.9 percent and 7.4 percent, respectively. Until 1981, the average number of defendants indicted per grand jury session steadily declined. This year, the average number of defendants indicted per session rose 12.4 percent to 2.80, however, this remains well below the average of 4.14 defendants indicted per session in 1977.



Rule 6(g), Pederal Rules of Criminal Procedure. Title 18 U.S.C. Section 3333.

Table 55
U. S. District Courts
Proceedings by Indictment and Grand Jury Sessions
During the Twelve Heath Periods Ended
June 58, 1977 Honorth 1982

	Com	eedings manced lictment	Average Defen-	Grand Jury	Average Defendants Indicted per	-	Average	
Teer	Defen- dants	Sessions Convened	Grand Jury Session	Semion	Rours per Sension			
977	25,816	36,606	1.46	8,840	4.34	47,094	5.32	
979	18,724 16,524	22,740 26,395 23,612	1.52	9,791	1,67 2,90	44,739 54,896	5.23	
901 1902	17,229	27,367	1.55 1.59 1.60	10,336 10,997 10,500	2.48 2.49 1.81	54,163 58,278 55,569	1.34 1.30	

Appendix Tables J-1 and J-2 provide grand juror data by individual district. Appendix Table J-1 shows the number of grand juries in existence on July 1, 1981, the number impaneled and discharged in the twelve month period, the number in existence at the close of the twelve month period, and the total number of grand juries that were in existence at some point during the twelve month period.

Appendix Table J-2 contains data for grand jury sessions convened, jurors in session, and hours in session. Between 16 and 23 jurors must be present to convene a grand jury session. The category "Jurors in Session" includes only those who participated in a convened session. Jurors not included in this category include those reporting for orientation, for impanelment only, ir travel status, and those waiting for a quorum of 16.

Compared to 1981, the average number of jurors per session (20.0) and the average number of hours per session (5.29) remained virtually the same. Hawaii reported the lowest average of grand jurors per session at 18.5, while North Dakota reported the highest average with 22.4 jurors present per session. The average number of hours per grand jury session ranged from a low of 3.33 hours in Vermont to a high of 8.00 hours in Alaska and Oklahoma, Northern.

On June 30, 1982, there were 414 grand juries in existence, 3.7 percent fewer than a year ago. During the entire twelve month period, 7.79 grand juries existed. Factors such as the number of places of holding court and the type of criminal activity affect the number of grand juries in the individual districts. For example, the Southern District of New York reported the most grand juries in existence with 53, while three districts reported only one grand jury in existence. Three territorial courts, the Virgin Islands, the Canal Zone (which closed on March 31, 1982), and the Northern Mariana Islands, had no grand juries in existence.



The Southern District of New York reported the greatest amount of grand jury activity with 1,068 sessions convened, 21,685 jurors in session, and 4,815 hours in session. The District of Columbia and New York, Eastern convened over 500 grand jury sessions. Excluding the territorial courts, Montana reported the fewest number of grand jury sessions (12), jurors in session (261), and hours in session (70).

Petit Jury Activity

There are three categories of jury service for each day that jurors or potential jurors are present to serve in a district court. Jurors are categorized as selected or serving; challenged by court or counsel; or not selected, serving, or challenged. Paid jurors in travel status are not actually available to serve, however, while paid they must be reported as not selected, serving, or challenged. Each juror is reported in the highest level of service attained on that particular day.

Data from Table 56 shows that the total number of prospective jurors available decreased 2.7 percent during the twelve month period ended June 30, 1982. There were 17,323 fewer people called during 1982 than 1981. Of the 631,605 jurors available to serve, 388,979 or 61.6 percent, were selected or serving; 98,657 or 15.6 percent were challenged for cause or peremptority; and the remaining 143,970, or 22.8 percent, were not selected, serving, or challenged. A total of 5,572 jurors, or 0.9 percent, were in travel status.

A slight decrease in the number of criminal jury trial days coupled with virtually no change in the number of civil jury trial days resulted in a 0.9 percent drop in the total number of jury trial days in 1982. Civil jury trial days outnumbered criminal jury trial days for the third consecutive year.

Appendix Table J-3 provides a breakdown by district of jurors and jury trial days for the twelve month period. The Virgin Islands, Guam, and the Northern Mariana Islands have not been included in the following district comparisons. Circumstances in these districts are unique, making a comparison to the rest of the country meaningless.

The national average for jurors selected or serving on jury trials during 1982 was 61.6 percent. The Eastern District of Oklahoma reported the highest percentage in this category with 83.0 percent while the Western District of Kentucky reported the lowest percentage of jurors selected or serving at 43.8 percent.

An average of 15.6 percent of all prospective jurors were challenged either by court or counsel during 1982. Despite a 6.1 percentage point decrease from 1981, the Western District of Virginia again reported the highest percentage of jurors challenged at 35.9 percent. On the other hand, the Northern District of Ohio reported only 7.2 percent of its 7,712 jurors as challenged. The wide range in percentages of jurors challenged may be due to different local court practices regarding peremptory challenges and the increased number of challenges for cause in districts which have experienced notorious trials.

Table 36 U. S. District Courts Hational Petit Juror Usage During the Twelve Month Periods Ended June 36, 1977 through 1963

							1982 e	rer 1981
Petit Jurans	1977	1978	1979	1900	1901	1901	Humber Change	Person
Total Available	584,122	570,523	545,617	J85,547	648,929	621,506	-11,213	4.7
Selected or Serving	352,940 60.4	345,372 60.5	334,765 59.2	348,710	396,746 1.13	300,579 61.5	-1,767	-1.0
Challenged	90,693 15.5	98,103 15.5	91,575 16.2	92,110 15.2	100,041 15.4	90,857 15.5	-1,384	-1.4
Not Selected, Serving or Challenged-Total Percent In Travel Status Percent	140,489	137,548 24.5	139,277 24,4	144,727 23.9 4,582 6.8	151,141 23.4 5,810 6.8	142,970 22,3 5,572 6,9	4,172	4.4
Jury Trial Days	29,875	29,238	28,851	32,159	25,596	35,263	-533	4.5
Criminal	14,545 54.7	16,064 55.0	15,171 52.6	15,649	15,925	15,597	-336	44
Civil	12,930 43.3	13,154 45.0	13,600 47,4	16,510 51.3	19,671 55.3	19,476	•	•

^{*} The jurges in travel status are included in the eategory of jurges not selected, serving or challenged.

The third category of jurors includes those who attend court but are not selected or serving on a jury, and those not challenged in a jury selection. Substantial improvement in efficient juror usage can be made by reducing the number of jurors in this category. Methods of limiting the number of jurors in the not selected, serving, or challenged category differ from district to district depending on the court size and the number and size of places of holding court. Techniques that improve juror usage include less than 12 member civil juries, jury pooling, multiple voir dire, staggered trial starts, deadlines for settlements and pleas, reduction in voir dire size, effective use of pretrial hearings, and use of the code-s-phone for notifying jurors of postponement or cancellation of a trial.

Factors contributing to a large number of excessive jurors include late settlements or pleas, an overcall of jurors for the number of scheduled trials, and poor jury pool management.

The district with the highest percentage of jurors not selected, serving or challenged was Nebraska with 38.9 percent. The Eastern District of Oklahoma reported the lowest percentage of jurors in this category with 0.2 percent.

A district with a higher proportion of civil jury trials is generally able to use jurors more efficiently than a district with a majority of criminal jury trials which usually require additional challenges and alternates. For the year ended June 30, 1982, a total of 67 districts reported a majority of civil jury trial days. The percentage of civil jury trial days varied from 88.4 percent in Oklahoma, Western to 19.3 percent in Arizona.

The Juror Usage Index (J.U.I.) is the average number of jurors available for each jury trial day. The index is calculated by dividing the total number of available jurors by the total number of jury trial days. The national J.U.I. for the twelve month period ended June 30, 1982 was 17.91, which indicates that on the average, almost 18 jurors were called for every jury trial day. J.U.I.'s ranged from 11.42 in Wyoming to 24.04 in Puerto Rico.

PEDERAL PUBLIC/COMMUNITY DEPENDERS

There were 32 Federal public defender and 7 community defender organizations operating on June 30, 1982. Totals for Missouri, Western's temporary branch office in the Western District of Arkanas (which closed February 15, 1982) are no longer shown separately. During the past year, the Federal public defender organization for the Central and Southern Districts of Illinois was authorized to provide representations in the Eastern District of Missouri. The Illinois organization began reporting representations in Missouri, Eastern in August 1981 and representations by this branch office are shown separately under the totals for the Illinois organization.

This year, Federal public and community defenders are being presented together. Table 57, therefore, summarizes the number and type of cases opened, closed, and pending in all 39 Federal defender organizations during the last seven years. Appendix Table K-1 provides detailed statistical information on the case activity of each defender office during the year ended June 30, 1982. The information is classified into three major categories of representations: criminal, appeals, and other. The last category includes representations for habeas corpus, parole/probation revocation, witness, and motions to correct or reduce sentence. The statistics in this report cover only those representations provided by Federal public/community defenders and, therefore, exclude representations by private panel attorneys under the Criminal Justice Act of 1964. Those statistics are available in the Report to the United States Judicial Conference Committee to Implement the Criminal Justice Act.

Table ST Federal Public and Community Defender Organizations Comparison of Representations

During the	Tentre !	heen for	خدا دب	i iven H	1975 the	1981		
Agrantation	1974	1977	1970	1979	1980	1981	1001	Charge 1901/ 1901
Offices in Operation		22	**	38	**		*	
	19,600 19,600 1,734	10,010 10,010 1,700	11,000 11,675 1,577	71,354 21,790 4,841	11,001 20,576 1,250	11,417 17,480 4,710	13,346 13,446 4,750	122
	13,804 13,817 4,307	14,300	14,570	14,540	11,785 11,865 1,867	15,550 15,550 1,650	11,591	Ett
	5,814 5,341 1,467	1,913 1,730 1,813	1,213	7,014	1,000	1,001 0,000 1,000		14

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The 39 defender offices were assigned 23,168 cases during the year ended June 30, 1982, a modest 1.2 percent decline from the 23,457 cases assigned in 1981. This decrease in case openings was due to a decline in the number of criminal defendants represented (down 4.8 percent); however, criminal matters still account for 66.0 percent of the defenders' workload. Conversely, the number of other representations (including appeals) rose 6.6 percent, the sixth consecutive year other representations have increased. Most of this increase is attributable to the substantial rise in the number of court directed prisoner representations of inmates at the U.S. Medical Center for Federal Prisoners at Springfield, Missouri. These representations elimbed 67.5 percent to 948, thereby reversing a five year decreasing trend.

The community defender office in the Southern District of California reported the largest number of case openings with 3,348, however, this was 18.5 percent less than the 4,110 cases this office

opened in 1981. The New York organization opened more than 1,900 cases; while the Western District of Missouri reported the most openings among Federal public defenders with 1,566. Four other defender offices were assigned more than 1,000 new cases during 1982. These seven offices accounted for approximately one-half of all defender representations. West Virginia, Southern reported the least number of case openings at 131.

Despite the nationwide decline in new representations in 1982, 25 of the 39 defender offices reported increases in the number of cases opened. The largest percentage increase was shown by Florida, Middle, which opened 47.3 percent more cases than a year ago. This increase was due, in part, to the rise in drug offense cases from 17 in 1981 to 59 in 1982. Oregun reported a substantial 44.2 percent increase in the number of cases opened. Conversely, the decline in total openings can be traced to large numerical declines in California, Southern and Florida, Southern. California, Southern opened 762 fewer cases than a year ago, primarily due to a sharp drop in petty offense cases. Florida, Southern opened 670 fewer cases, primarily due to a decline in immigration cases from 596 in 1981 to 45 in 1982. The abnormally high number of immigration cases during 1981 was caused by the influx of Cuban refugees into Southern Florida. Florida, Southern also reported the largest percentage decrease. This office opened 924 cases, a drop of 42.0 percent compared to 1,594 opened in 1981.

Federal defenders disposed of 22,868 cases, up slightly from 1981. Criminal dispositions declined 3.5 percent, however, closings of other representations rose 10.5 percent. Again, the substantial rise in the number of representations of inmates at the U.S. Medical Center for Federal Prisoners was primarily responsible. The Southern District of California terminated the most cases at 3,343, while West Virginia, Southern terminated the least, reporting only 126 case closings.

Dispositions rose in 25 of the 39 defender offices, with Georgia, Northern reporting the largest increase at 51.1 percent. The offices of Maryland, Massachusetts, Minnesota, Oregon, and Tennessee, Middle increased case dispositions by more than 30 percent. Large declines in the number of case closings were reported by California, Southern (down 787) and Florida, Southern (down 586). The Southern District of Florida registered the largest percentage decline (43.3 percent) in terminations, and Puerto Rico closed 34.2 percent fewer cases than a year ago. In both offices, a sharp drop in the number of immigration cases was largely responsible for the decline in case dispositions.

Federal defenders spent an average of 1.9 hours in court per closed case. West Virginia, Southern and Kentucky, Eastern reported the highest averages at 4.1 hours per closed case. West Virginia, Southern's average was inflated by two mail fraud cases which required 231 hours of in-court time, while Kentucky, Eastern reported several cases which required ten or more hours of in-court time. The lowest average was recorded by Missouri, Western (0.5 hours per closed case), due to the short amount of in-court time needed to dispose of its numerous representations of inmates at the U.S. Medical Center for Federal Prisoners.

Since case openings continued to exceed case closings, the pending caseload grew 8.0 percent. The largest numerical increase was recorded by Florida, Southern (183), however, Massachusetts reported the largest percentage increase (97.7 percent). Conversely, Georgia, Southern reduced the pending caseload 48.0 percent from 50 in 1981 to 26 in 1982.

U.S. MAGETRATES

Mindressor Cases

Magistrates disposed of \$6,725 misdemeanor cases, including petty offenses, during the twelve month period ended June 30, 1982, a decrease of \$.9 percent from the previous year. Of the total misdemeanor caseload handled by magistrates this year, 73,136 were petty offenses, a decrease of \$.5 percent from last year. Petty offense cases involving trespassing and theft increased this year while cases involving all other categories of offenses decreased. In particular, immigration prosecutions declined by 12.9 percent, from 11,318 to \$.857.

The remaining 13,589 mindemeanor cases were above the level of petty offenses, a decrease of 4.4 percent from the 14,208 cases reported in 1981. Traffic charges, such as driving while intoxicated, accounted for 7,345 of the cases, a decrease from last year's figure of 8,806. Non-petty mindemeanor cases involving theft and mail declined during the year, while all other categories of violations increased.

Of the 86,725 mindemeanors coming before magistrates this year, 15,314 received a full trial on the merits, including 121 jury trials. There were 54,865 defendants who pied guilty, and the remaining 18,066 mindemeanor charges were dismissed in open court by the magistrates. Of the 15,814 defendants who participated in full trials before magistrates, 9,808 were convicted of the charges against them. Defendants appealed the magistrate's decision in 170 criminal cases during the year.

Table 58 shows the number of misdemeanor cases disposed of by U.S. magistrates for 1978 through 1982, classified by nature of offense. Table 59 indicates the ten districts with the largest number of misdemeanor cases disposed of by magistrates during the twelve month period ended June 30, 1982.

Initial Proceedings

The number of initial proceedings in criminal cases conducted by U.S. magistrates during the year increased by 5.2 percent, from 89,231 last year to 93,878 this year.

Applications for arrest warrants considered by magistrates rose for 10,173 in 1981 to 10,880 for the twelve month period ended June 30, 1982. The number of summonses sought dropped from 1,461 to 1,822. Search warrant applications, however, rose from 5,442 to 6,170 for the same period.

Table 14
U.S. District Course
Mindowscarer Defendants Disposed of by U.S. Magistrates by Solves of Officers
During the Tweeter Month Parish Redor
Ages 26., 1975 Streets 1981

Offenses	2978	1979	1900	1001	1001
	100,547	100,367	10,01	M,250	86,715
7 4 5	14,803	11,007	11,411	14,300	13,500
	10,473	0,301	1,615	1,000	1,345
	1,154	ai.	1,655	1,500	1,730
*********	15. 15.	-	184	114	100
*********	1,630	1,110	1,340	2,576	1,545 1,736 1,666 100 1,656
	W.#4	87,400	77,700		73,236
********	14,330	10,070	10,007	81,300	4.34
*******	13,304	11,304	11,300	11,300	1,000
	6,314	1.200	1.00	1,430	4,071
	1,316	1,270	733	310	404
	1,941	1,000	1,004	1,101	LAIT
*******	1,007		1,000	1,341	1,417
	4,500	•,	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	1,40	6,001

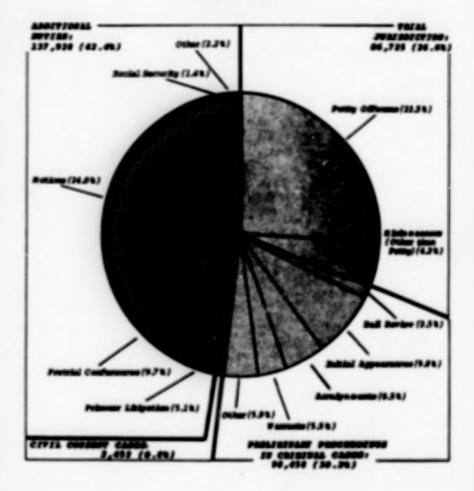
Table 50
U.S. District Courts
Districts with the Highest Funder of Minimumore
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Done	Total	Treffie	land- gration	-
Virginia, Sentera	1,000	140	:	1,310
California, Forthern	1,000	3,410	9,786	641 678
Tenas, Revition	1,711	.107	1,000	41
Corpie, Surtiers	1,201	1,510	:	170
Land	1,315	1,000		210

The number of initial appearances before magistrates of defendents in criminal cases decreased 3.7 percent from 40,159 keet year to 38,577 for the twelve month period ended June 30, 1682. This total includes 6,233 appearances of material witnesses, 3,348 appearances of defendants under Rule 40 of the Pederal Rules of Criminal Presentary, and 1,452 appearances of probationers. Magistrates reported 8,301 applications for review of ball determinations during the year, a 21.8 percent increase from the 6,528 applications reported last year.

DUTIES PERFORMED BY UNITED STATES MAGISTRATES

100 to march - 325,563



Proliminary examinations conducted by magistrates increased from 3,570 to 4,650 during this period. This total includes proliminary examinations of 537 probation violators, and 660 hearings of defendants under Rule 60 of the Potenti Bales of Criminal Procedure.

During the year, magistrates conducted 21,296 post-indictment arraignments under Rule 18 of the Policul Bake of Orinhal Procedure, a 12.2 percent increase from the 18,661 arraignments conducted last year. Grand juries in 76 districts returned indictments to magistrates at 3,662 separate ressions.

Magistrates also reported a total of 4,500 other detice completed during the year, pursuant to Title 28 U.S.C. Section 636(a). These include reviews of 1,437 applications for administrative importion warrants, presiding over 1,861 judgment debter hearings and 384 deposition proceedings.

Criminal "Additional Delies"

Magistrates handled 25,963 "additional duties" in eriminal sense in 83 of the 62 districts covered by the <u>Pederal Magistrates Act, an increase of 6.9 percent over the 25,341 much detail completed last year.</u>

Magistrates conducted 3,214 pertrial conferences or combus hearings in 53 districts during the year. They also reviewed 30,119 contested pretrial motions in 77 districts, including 16,672 "non-dispositive" motions decided by written orders 4,827 "non-dispositive" motions decided by full written opinions; and 2,320 "dispositive" motions in which magistrates admitted findings and recommended actions under Title 28 U.S.C. Section 630(h)(1)(fi). Magistrates also completed 3,650 other duties in criminal seases under authority of Title 28 U.S.C. Section 630(h). These duties include final probation revocation hearings, calendar calls, appeals conferences, and consent verification hearings in international prisoner transfers.

Civil "Additional Detion"

The volume of duties in civil cases handled by magistrates for the district judges continues to increase. During the year, magistrates were assigned \$4,394 "additional duties" in non-prisoner civil cases in 90 of the 92 districts covered by the <u>Pederal Magistrates Act</u>, up 15.5 percent from the \$1,557 such duties handled list year.

During the twelve menth period ended June 30, 1982, magistrates in 84 districts conducted 28,314 protrial conferences in civil cases assigned to the district judges, including 11,827 initial pretrials, 8,806 discovery conferences, 3,808 settlement conferences, and 4,863 final pretrial conferences. In 84 district courts, they reviewed 58,150 contested pretrial motions in civil cases, including 64,364 "non-dispositive" motions decided by written orders; 7,806 "non-dispositive" motions decided by full written opinions; and 6,180

"Cispositive" matters in which the magistrates submitted findings and recommended decisions to the court under Title 28 U.S.C. Section 6365MIXEM. Magistrates served as special masters on 588 occasions in 45 districts and also filed 4,522 reports and recommendations on Social Security appeals in 73 districts. Additionally, they handled 1,174 calendar calls; 607 L.B.S. enforcement proceedings; selected 195 juries for the district judges; presided over 149 naturalization proceedings; and completed 685 other duties in civil cases assigned to the district judges.

Prisoner Politicas

During the twelve month period ended June 30, 1982, magistrates in 83 districts submitted reports and recommendations in 16,551 prisoner cases, an increase of 11.7 percent over the 14,817 reports submitted last year.

This year's reports and recommendations included 6,651 after an initial review of the petition, 8,738 after a full review, and 1,162 after a full review and an evidentiary hearing. The types of petitions reviewed by magistrates included 2,113 Federal habous, 5,860 state habous, and 8,478 civil rights petitions.

Bridentiery Proceedings

Appendix Table M-5 reflects the implementation of the 1976 and 1979 amendments to the <u>Pederal Magistrates Act</u> which more clearly authorized magistrates to conduct evidentiary proceedings, including full trials of civil cases upon the consent of the parties. The 4,448 trials and other evidentiary proceedings conducted by magistrates in 87 districts during the year ended June 30, 1982 provided significant assistance to the district judges and represented an increase of 19.1 percent over the 3,736 such proceedings conducted last year.

Magistrates conducted 975 evidentiary hearings in criminal cases in 50 district and 896 hearings in civil cases in 71 districts. There were 1,162 hearings conducted by magistrates in prisoner cases in 67 districts. These figures compare to 857 criminal, 928 civil, and 776 prisoner hearings conducted by magistrates last year.

Purther, magistrates completed 588 special master references this year in 45 districts, a slight increase from the 564 references completed in 1981. Equal Employment Opportunity Commission (Title VE) cases accounted for 111 of the special master references; 68 were determinations of damages; 46 were determinations of attorney's fees; and 363 involved other special master references.

In accordance with The Federal Magistrate Act of 1979, a magistrate who has been specifically designated by the district court to exercise civil trial jurisdiction under Title 28 U.S.C. Section 636(c) may, upon the consent of the litigants, conduct any and all proceedings in a civil case including the trial of the case.

During the year, 141 magistrates in 65 districts terminated 2,452 civil cases on comment of the parties, an increase of 26.8 percent over the 1,233 cases completed the previous year. There were 1,427 cases terminated without a trial being held and 225 cases were completed after trial. Magistrates presided over 262 jury trials and 163 non-jury trials during the year.

The leading entagories of cases terminated by magistrates during the year, on comment of the parties, included: prisoner potitions (STT); terts (SSS); contract (SSS); non-prisoner civil rights (SSS); social security (176); labor (SSI); and real property (72). The basis of jurisdiction for these cases included: United States plaint/iff (178); United States defendant (422); Federal Question (1,225); and diversity of citizenship (625).

Of the 825 civil trials reported by magistrates during the year, 61 required at least one full week of trial time; 39 of these cases required at least two weeks for trial.

There were 218 full-time magistrate positions authorized for appointment on October 1, 1961. During the twelve month period anded June 36, 1962, full-time magistrates handled 208,621 matters, 86.2 percent of the total disposed of by magistrates nationally. The remaining 64,622 proceedings were conducted by part-time magistrates and combination clark of court or bankruptcy judge magistrates.

Pull-time magistrates conducted 85.5 percent of the preliminary proceedings in criminal cases, \$1.1 percent of the mindemeasur cases, and \$4.5 percent of the "additional duties" performed during the year. Table 80 shows the breakdown of matters handled by full-time magistrates vir-a-vis part-time and combination magistrates for the twelve month period anded June 36, 1982.

At least two full-time magistrates had been authorized for appointment in each of the 25 largest district courts by October 1, 1981. The extent to which these full-time positions have been used in each of these courts is reflected in Table 61.

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PROBRAL PROBATION SYSTEM

Probation supervision can be imposed by judges or U.S. magistrates as an alternative to terms of imprisonment for convicted defendants. U.S. attorneys can also offer probation as a pretrial alternative to pursuing Federal prosecution. Parole and other types of institutional release supervision commence when defendants who were imprisoned are subsequently released after serving less than their full terms. Appendix Tables E-1 through E-7 provide statistics for all such individuals supervised by federal probation officers.

On July 1, 1981 there were 94 reporting districts in the Federal Probation System. On March 31, 1982 the district court and probation office for the Canal Zone were closed in accordance with the Panama Canal Treaty. The Northern Mariana Islands reported its first supervision case in February 1982, restoring the total to 94 districts by year's end.

During the twelve month period ended June 30, 1982, there were 31,531 persons received for supervision, excluding transfers, an increase of 6.5 percent over the number received last year. This increase reversed a declining trend that had lasted six years. There were 32,439 persons removed from supervision during the same period. Although the number removed this year was 11.2 percent below last year, it exceeded the number received. As a result, the number of persons actively supervised by the Federal Probation System on June 30, 1982 fell to 58,373 compared to 59,016 last year. Appendix Table E-1 shows, by district, the number of persons received this year, the number removed, and the number of persons under supervision at year's end.

TECHNICAL HOTE

Records received during the year reporting terms that actually commenced during a prior year, have been, in the past, added to the number of persons under supervises at the beginning of the year. This year, programming was modified to add into-arriving records to the total of persons received. This charge, which reduced the difference shown in Appendix Table E-1 from last year's ending figure of persons under appreciate, also accounted for part of the increase in persons received this year.

Persons Received for Supervision up 6.5 Percent

As shown in Table 62, a gain of 12.5 percent in persons received on probation terms accounted for an overall increase of 6.5 percent in the total number of persons received this year. Probationers received on terms imposed by district court judges increased for the first time since 1975, as 13,285 were commenced or reinstated. This was 1,400 more than were received last year. The number of probationers received on terms imposed by U.S. magistrates also rose by more than 1,600 this year to 6,455.

Table 02
Federal Protection System
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	MJH	25,604	18,275	1,300	1,711	1,000	6,286	1,815	222	1.201
	33,000	15,229	17,541	1,000	2,001	8,719	1,200	1,411	200	1.24
m	24,000	23,615	15,660	1,012	1,230	11,200	1,516	3.200	171	1,000
m	33,830	21,861	14,004	1,000	2,211	12,300	4,539	1,211		1,142
	21,410	18,792	12,480	-	2,013	11,617	1,611	2,071	238	1.00
	29,575	18,222	11,400	1,400	2,014	18,210	4,450	1,000	340	1,001
43	21,521	BI,794	13,000	4,486	2,013	9,717	1,000	1,942	-	1417
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Persons received from institutions continued to decline, down 475 from last year to 9,777. This number has fallen by 2,840 since 1980. Moderate increases were reported in persons received on special parole terms and in those received on mandatory release. In contrast, the number received on parole declined by 546 or 8.5 percent and was 1,746 below the last peak of two years ago.

Court Probationers Received on New Turns Increase

The 12,516 new probation terms commenced during the twelve month period was 1,402 or 12.5 percent more than last year. As shown in Table 63, the numbers of persons received in each length of term classification, except one, were higher this year than last. The percentage of new court probationers received for two years or more of supervision remained nearly steady at 88.3. However, there was an increase of 1,271 in court probationers received for supervision of two years or more. Appendix Table E-4 shows, by district, court probationers received during the past year (excluding reinstatements), and length of supervision terms imposed.

Table 63
Federal Problems System
Court Probationes Received by Toron to be Supervised
(Excludes Releastant month
During the Tracker Stantis Periods
Entirel Acoust 1988

Tern of Supervision (Standard	1901	1001	No. of Contract of	7
Peed	11,214	12,610	1,001	18.5
	170	187 84 761	40	113
4	1,447	1,00	-	13
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Persons Received by District

Of the \$3 districts that were active at the end of both 1981 and 1982, 58 districts or \$2.4 percent received a greater number of court probationers on new terms this year than last year. There were 32 or 34.4 percent which received a lower number of court probationers on new terms. Four districts showed the same figures for both years.

Persons received overall this year rose by more than 100 from last year's totals in each of ten districts. In six of these districts the increase resulted primerily from a rise in court probationers received. The six districts were: California, Central (up 213); Tennessee, Western (up 148); Texas, Southern (up 146); Illinois, Horthern (up 131); Georgia, Northern (up 117); and Texas, Western (up 191). Cains in probationers received from U.S. magistrates accounted for the increases of more than 100 in total persons received this year in Maryland (up 276), Virginia, Eastern (up 191), Hawaii (up 149) and New York, Southern (up 117).

Among the 37 districts reporting declines in persons received this year, Michigan, Eastern reported the largest drop, down 61 or 10.0 percent due to fewer institutional releasees received. Only four other districts declined by more than 50. In North Carolina, Middle (down 59 or 28.5 percent) and Illinois, Southern (down 53 or 29.1 percent) more than half the decreases were caused by declines in new court probationers. A drop of 57 persons received on pretrial diversion this year in New York, Eastern accounted for total persons received falling 56 (5.9 percent) from last year. The 55 fewer persons (8.5 percent) received in Arizona was due to decreases in institutional releasees and U.S. magistrate probationers received this year.

Persons Removed from Supervision Down 11.2 Percent

After reaching a record-setting level of 36,550 inst year, the number of persons whose supervision terms were completed, revoked, or suspended dropped to 32,439 during the twelve month period ended June 30, 1982. A decline of 2,261 in the number of court probationers removed accounted for more than half of this reduction. The number of persons removed from special parole and mandatory release terms decreased by 1,145 and 494, respectively. The only increases in removals from supervision were in U.S. magistrate probationers (up by 74) and military parolees (up by 60).

The overall decline in total court probationers removed this year accounted for a decrease of 1,003 in court probationers removed after successful completion of their terms. There were 731 or 21.2 percent fewer early terminations of court probation terms this year. In addition, the rate of early terminations fell to 28.0 percent from 32.2 percent last year. The average term supervised for court probationers terminated without violations was 33.5 months compared to 32.2 months last year.

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Appendix Table E-6 shows the number of court probationers, by district, who completed their supervision during the past year by length of term completed. Appendix Table E-6 provides the percentage of early terminations and the average length of term supervised compared to the average length of term originally imposed.

Violation Rate Drops to 17.7 Percent

Table 65 highlights the overall number and rate of violations for each type of supervision. For purposes of calculating violation rates for persons removed from supervision (shown in Appendix Table E-7), only persons removed for the first time are included. Reinstatements and reperoles are excluded, as are statistical removals. Of the 28,869 removals included for purposes of this discussion, 23,754 or 82.3 percent occurred for reasons other than a new violation. This group includes successful completions of terms, deaths, and temporary suspensions of supervision for periods of hospitalization, release to military service, etc. The remaining 5,115 or 17.7 percent were removed for violations, compared to 5,641 or 18.7 percent last year.

Table 65
Rates of Violation for Types of Supervision of Persons Removed
During the Twelve Month Periods Ended Jame 30, 1991 and 1992

	Yes	a tem	Ret	e of	Total V	mingo d iniptima
Aperities	1981	1902	1991	1901	1001	1961
Tel	5,641	1,115	18.7	17.5	100.0	100.0
Prom Courts						
Proteil Diversion	1,136	1,000	10.3	13.4	77.5	14
Protetion	767	792	18.0	15.2	13.6	15.5
From Institutions:						
Parels Mondatory Release Special Parels Williamy Parels (all)	1,000	1,511 200 200	17.0	10.7 10.2 10.2 10.2	#4 12	12

This year's violations were composed of: 3,161 (10.9 percent violation rate) technical infractions of the conditions of supervision not involving a new offense; 391 (1.4 percent violation rate) new offenses considered minor (drunk, disorderly, petty theft, traffic offense, etc.); and 1,563 (5.4 percent violation rate) alleged involvement in or convictions of new major offenses (possible penalty more than 90 days in jail or more than one year probation). The technical and minor violation rates were down from 11.9 percent and 1.3 percent last year, while the violation rate for major offenses was up from the 5.0 percent reported last year.

Parole violations accounted for 35.4 percent of all violations this year. The violation rate for paroless (29.7 percent) continued to exceed the rate for the other types of supervision. Paroless also exhibited the highest rate (11.7 percent) for violations resulting from new major offenses, up from 10.5 percent last year. Despite fewer total removals from parole this year, the 714 removed for major offenses was 62 more than last year.

The rate of violations by special paroless, who are all drug offenders, increased to 19.5 percent this year from 18.5 percent last year. The rate of technical violations, which includes failure to pass a test to monitor drug use, was a comparatively high 11.1 percent. In addition, the major violation rate of 6.5 percent for special percens was also relatively high.

Violators of court probation (38.4 percent of all violations) outnumbered violators of any other type of supervision, but the overall violation rate of 15.4 percent was below that of percess and special paroless and was down from 18.3 percent last; year. The rate of violations by court probationers for major offenses was up this year to 4.1 percent from 3.5 percent last year. On the other hand, fewer technical violations were reported this year and the rate declined to 18.1 percent from 11.0 percent.

Mandatory releasees and U.S. magistrate probationers recorded equal violation rates of 15.2 percent this year, down from 17.8 percent and 16.8 percent, respectively in both types of supervision, the decreases were reflected in moderate declines in all three types of violations. The number of violations by persons removed from pretrial diversion supervision rose from 47 last year to 81 this year, raising the violation rate to 4.1 percent from 2.3 percent. More accurate reporting of pretrial diversion violations was emphasized and this year's rate in thought to be more realistic.

Persons Under Supervision Decline Only 1.1 Percent

Because there were more removals from appreciation this year than new persons received, the total number of persons apprecised by the Federal Probation System on June 30, 1982 fell to 58,373. This is 1.1 percent or 643 less than the number reported on the same date last year. However, the increase in persons received this year, coupled with the reduced total of persons removed, brought the rate of decline this year down from the 8.4 percent recorded last year when the case-load dropped by 5,434.

As shown in Table 65, the total number of persons supervised on probation terms increased 2.5 percent to 41,229, representing 71.7 percent of all persons under supervision at the close of the year. Court probationers under supervision increased by 0.5 percent, the first rise in four years. The number of probationers serving terms imposed by U.S. magistrates was up 877 or 12.5 percent, compared to last year's rise of only 1.3 percent. In addition, persons serving under conditions of pretrial diversion increased slightly by 1.3 percent after a decline of 4.1 percent last year.

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	1,000	-	-	18.8	11.0	18.6
	18,000	14,544	4,781	44	-	-
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In contrast, the 16,544 persons under supervision following release from institutions was 1,721 (8.4 percent) below the number under supervision a year ago. This decrease was less severe, however, than the decline of 2,549 that occurred last year. The number of percless fell most significantly, down 1,558 (11.5 percent). There were losses of 139 in the total supervised on special percle terms and 34 in the year-end total of mandatory releasees. The number of military percless under supervision was unchanged.

Persons Under Supervision by District

This year, 54 of 93 districts showed increases or decreases of 5.0 percent or more in their total under supervision. (See Table 67.) By the end of the year, 9 districts had each gained more than 60 persons while 18 districts had each lost at least 60. The Western and Middle Districts of North Carolina were reorganized on October 1, 1961 under P.L. 96-662. As a result, 56 persons were transferred from the Middle District to the Western District, contributing significantly to a total reduction of 96 in the Middle District and a total increase in the Western District's caseload of 111.

Hine districts in addition to North Carolina, Western reported changes of more than 100 in their year-end totals. The four districts with increases of more than 100 were: Maryland (177); Florida, Southern (166); California, Southern (122); and Tennessee, Western (102). Increases in court and U.S. magistrate probationers under supervision were responsible for the gains in those districts.

The issues in the five districts with reductions of more than 100 person under supervision could not be as easily categorized. In the District of Columbia (down 147) and Chio, Northern (down 113), the declines resulted from fewer court probationers under supervision. The drop of 113 in Pennsylvania, Western's easelesd resulted from a year-end total that included 65 fewer court probationers, 26 fewer U.S. magistrate probationers and 36 fewer paroless. In Michigan, Eastern loss of 88 paroless and 30 special paroless under supervision, combined with a decrease of 53 under court probation supervision, contributed to a decline of 159 in the supervision caseload. Finally, New

York, Staters's comband fall by 125, primarily because of a loss of \$1 persons under pretrial diversion supervision (see Persons Section) and a doction of 65 under persis supervision.

Appendix Table E-2 provides the number of persons under each type of supervision in each district on June 30, 1982. Appendix Table E-3 details the offenses of these persons.

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CAME AND MOTIONS UPDER ADVENUENT BY U.S. DETRICT COURTS

U.S. district judges held a total of 1,228 matters under advincment over 60 days as of June 30, 1962. These statistics show an 11.9 percent increase over the 1,897 matters reported in 1981. A total of 521 district judges (including 126 senior judges) reported on the status of matters before the court on June 30, 1982. Only 207 (or 40 percent) district judges reported having cases or motions over 60 days. The remaining 314 district judges reported having no matters over 60 days.

Table SI

U.S. District Courts

District Judges Reporting on Cosm and Medican

Rold Dadar Advisorant on June 28, 1981

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While 66.6 percent of the pending matters were held less than six months; 22.1 percent were held over six months but less than one year; and 11.3 percent were held over one year.

The Seventh, Second, and Sixth Circuits reported the greatest number of pending matters. The Seventh Circuit reported 341 matters (27.8 percent of the total); the Second Circuit reported 192 matters (15.8 percent of the total) and the Sixth Circuit reported 156 matters (12.7 percent of the total).

Historical data on the number of judges reporting cases and motions held under advisement are provided in Table 69. Compared to last year, the number of judges reporting matters has increased by 15.0 percent. District judges reporting matters over 60 days increased from 180 in 1901 to 107 in 1902. Also, the percentage of judges reporting matters has increased from 35 percent in 1901 to 40 percent in 1902.

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While comparing statistics for the quarter ended June 30, 1976 through 1992, it should be noted that the number of authorized judge-ships increased in 1975 from 399 to 516. The number of judges reporting matters held over 60 days has increased 21.1 percent from 171 in 1976 to 397 judges in 1982. The total number of matters held over 60 days has increased 51.2 percent from 812 in 1976 to 1,226 in 1982. While the number of matters held over one year increased 34.0 percent from 1976 to 1982, cases in the other two categories increased more than 50 percent.

In 1976, each district judge reporting matters averaged 4.7 matters. This year, each district judge reporting matters averaged 5.9 matters, down from a record high of 7.9 matters in 1990.

PASSPORT AND NATURALIZATION

Since 1971, the U.S. Postal Service has gradually taken over the responsibility of processing passport applications, thereby reducing the workload of many U.S. district courts. The number of districts processing passport applications has decreased 73.1 percent since them. During 1971, a total of 78 districts processed passport applications while only 21 districts processed them in 1982. During the year ended June 30, 1982, a total of 15,818 passport applications were processed by the U.S. districts courts. This was a 19.5 percent reduction compared to the 18,850 processed for the period ended June 30, 1981. Hims of the 21 districts processed between 1 and 53 applications. For the second year, the Virgin Islands processed the largest number of passport applications with a total of 4,242. This was a 57.7 percent increase over the total applications processed in 1981. Chie, Northern and Michigan, Western processed 2,801 and 1,820 applications, respectively.

Petitions for naturalisation increased 8.5 percent from 145,320 in 1981 to 158,146 in 1982. A total of 21,870 petitions (13.5 percent of all petitions) were filed in the Eastern District of New York for the

year ended June 30, 1902. Ellisols, Northern recorded the second highest number of politices for naturalization with a total of 13,641.

The number of allow naturalized decreased 12.4 percent from 161,177 in 1901 to 141,255 in 1902. New York, Eastern reported 18,550 allow naturalized, accounting for 13.1 percent of the total.

Table 70 connectors paspert and autorification statistics for mineted years between 1900 and 1902. Appendix Table P-1 provides data by district on the master of paspert applications processed, the master of politics for naturalization filed, and the number of allow naturalized during the year ended June 30, 1902.

Table 70
U.S. District Courts
Possport Applications, Political for
Naturalization, and Aliens Naturalized
During the Twelve Heath Puriods Ended
June 30, 1900, 1905, 1970,
1975 through 1907

Year	Pring.	Peti- tions for Fetural- inction	Allene Returni- land
1900	222,141	27,573	92,314
1905	190,010	82,556	00,706
1970	473,270	14,000	89,825
1010	\$5,974	124,200	115,494
1976	55,293	129,317	115,946
1977	41,831	152,247	140,050
1979	34,020	140,364	140,061
1979	31,001	127,024	141,943
1000	13,563	150,246	123,721
1901	10,000	145,329	161,177
1901	15,010	150,146	141,292

REPORT BY THE DERECTOR ON REQUIETS POR PER AND EXPENSE UNDER THE EQUAL ACCESS TO JUSTICE ACT OF 1989

The Reput Access to Justice Act

The Equal Access to Justice Act, Title II of P.L. 96-481, 94
STAT 2325, Icases the financial burden on private parties who prevail
against the U.S. in agency adversary adjudications or non-tort civil
actions by authorizing the award of attorney fees and expert witness
fees. The Act also covers outleys for any study, analysis, engineering
report, test, or project necessary in building a case. To be eligible for
such an award, the party must prevail and meet certain financial
requirements of the statute. However, even when the private party
prevails against the U.S. and is determined to be financially eligible,
the attorney fees and other expenses requested can be denied if the
U.S. can demonstrate that its position was "substantially justified."
Privious for fees may also be denied if the court finds that the private
blay at used delaying tactics or if special circumstances exist which
work i make an award unjust.

Reporting Requirement

The Act, under Title 28 U.S.C. Section 2413(dh.). requires the Director of the Λ.O. to include in his Assumi Report the abount of fees and other expenses awarded by the Federal courts under Title 28 U.S.C. Section 2412(d) during the preceding fiscal year. The Assumi Report, however, is prepared for the year ended June 38, not the fiscal year. Therefore, this first report covers the period from the effective date of the Act, October 1, 1981 through June 30, 1982. Future reports will provide data for an entire year (July 1 through June 30).

Analysis and Summary of Data

As summarized in Table 71, there were 30 petitions for attorney fees and other expenses disposed of under the Equal Access to Junice Act in the Federal courts. There were 24 petitions (86.5 percent) filed in the U.S. district courts. One petition was in the U.S. Court of Claims, four in the U.S. courts of appeals, and one in a U.S. bankruptey court. The U.S. Supreme Court remanded one case for the purpose of considering an award of attorney fees under the Equal Access to Justice Act. This case is currently pending in district court.

The Internal Revenue Service was the agency involved most frequently in equal access decisions with eight petitions. Six petitions were filed against the Department of Health and Human Services, six against the Department of the Interior, and two against the Department of Labor. Eight other agencies were each involved in one equal access decision.

Of the 30 petitions filed, and closed, 27 were original petitions made under Title 28 U.S.C. Section 2412(d)(1)(A) after judgment in a civil case against the U.S. Two were original petitions under Title 28 U.S.C. Section 2412(d)(3), after the court reviewed an agency decision on the merits of the case and ruled for the private party, and one was an appeal of an attorney fee determination made by a lower court. This particular case originally involved a denial of attorney's fees under the Civil Rights Attorney Fees Award Act (Title 42 U.S.C. Section 1988), however, the Equal Access to Justice Act amended this statute. Therefore, as of October 1, 1981, this case fell under the coverage of the Equal Access to Justice Act and an award was eventually made by the court of appeals.

Seventeen (56.7 percent) of the 30 requests for attorney fees and other expenses were denied. Fourteen were denied because the court decided the U.S. position was "substantially justified." The Federal agencies involved in these cases were able to demonstrate that their positions were reasonable in law and in fact. The other three petitions were denied because special circumstances existed which would make an award unjust. In one case, the court ruled that its lengthy delay in reaching a decision made an award of attorney fees unfair. If it had acted in a timely manner, the court stated, the case would not have been pending on October 1, 1981 and, therefore, would not have been eligible for an award under the Equal Access to Justice Act. In another case, the court defined the words "incurred fees and expenses" to exclude an award of attorney fees because the petitioner was not obligated to pay his public interest attorneys. In the third case, the court found the prevailing party was not entitled to attorney fees and other expenses because the government was not allowed adequate opportunity to correct its mistake before the suit was filed.

Cases where fee requests under the Equal Access to Justice Act were denied because the petitioner was determined not to be the prevailing party and cases where the petitioner should have filed for an award under another fee-shifting statute are not included in this report. Petitions where the 30 day statutory deadline for filing for attorney fees and other expenses had expired are also excluded.

Federal courts granted 13 petitions for attorney fees and other expenses, awarding a total of \$683,518. This includes two cases where the request for attorney fees was denied and only the request for filing and service fees was awarded.

Of the \$683,518 awarded, \$676,892 or 99.0 percent was for attorney fees. Other expenses, such as filing and service fees, transportation costs, and telephone expenses accounted for the balance (\$6,826). On the average, successful petitioners received 89.4 percent of the total amount of fees and expenses requested.

The largest award was \$435,599 in attorney fees and other expanses in one petition involving the Department of Health and Human Services, the Department of Education, the Federal Communications Commission, and the Department of Justice. In another case, the court awarded \$399,599 in attorney fees against the Department of Defense. These two cases accounted for \$3.9 percent of the total amount awarded. Six awards totalling \$21,568 were granted against the Internal Revenue Service. Three additional awards adding to \$7,139 were allowed against the Department of Health and Human Services. One award of \$12,530 was granted against the Department of Labor and one of \$5,501 was granted against the Government Printing Office.

Table 71 Decisions on Applications for Equal Acress to Auties Act Awards By Type of Court and Agency - October 1, 1961 through June 30, 1961

		Petiti	in Desired		Petition Great	-	Return and	-	-	-
Court/Agency	Peti- tion	Renter	Total Foot and Experient Claimed	Rent or	Total Fees and Expense Claimed	Total Amount Amount			c	
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EA Court of Claims										
Days. of the Treasury	1	1	10,301	-						
GA. Courts of Appeals										
Dated Law			51,479	1	12,570	11,030	11,000			
brianal Rarges Service Orogetical Safety and	i	i	22,917			-	-			•
Real Series Comm	1	1	4,610				-			
E.A. District Courts										
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Dept. of Agriculture	i	l i	,							
Dept. of Dolam	1	-	-	1	200,000	200,000	200,000			
			11,746		514,205	40,319	430,000			4,077
Designation of the last of the	1	1	20,500							
Cool, of the bigging			44.000							
Cont. of Justice	1	1	23,000							
Car's. Printing Office	1			1,	10,000	1,001	5,710			191
burnel forces forces		1	1,000		15,000	11,427	10,236			1,000
E.A. Busingkay Courts										
blanci forces forces	1			1	401	•	371			

A - Attempt Fee

5 - Study, Analysis, September Report, Test or Project

C - Seport Wilson Fee

D - Other, including filing and corriers fees, telephone expenses, and transportation costs.

Includes two cases where the request for attempt fees was desired and only the request for filing and corrier fees was granted.

Perform All and specify on amount in his request for attempt fees.

Includes one cases where \$101,501 is alternay fees and other expenses was counted against the Department of Stacille and Street, the Performance of Stacille and Street, the Performance of Stacille and Street, the Performance of Stacille and Street, and the Department of Austine.

APPENDEX I

DETAILED STATISTICAL TABLES

ANNUAL REPORT

OF THE DIRECTOR OF THE ADMINISTRATIVE OFFICE

OF THE

UNITED STATES COURTS

POR THE TWELVE MONTH PERIOD ENDED

JUNE 30, 1982

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Table A-1 Supreme Court of the United States Cases On Docket, Disposed of, and Remaining On Dockets At Conclusion of October Terms 1977 through 1981

Cases	Total	Original	P	id	In Forms Peoperis
1977 Cease on Docket Disposed of Remaining on Dockets	4,704 3,867 837	14 3 11	1,5		2,340 1,053 396
1978 Came on Docket Disposed of Remaining on Dockets	4,731 4,817 714	17	12.2	83 21 63	2,331 1,006 335
1979 Cases on Docket Disposed of	4,781 3,800 002	1 1	14	00 50 50	2,340 1,836 411
1980 Cases on Docket Disposed of Remaining on Dockets	5,144 4,196 948	24 17	1,7	40 22 27	2,371 1,000 421
1961 Cases on Docket Disposed of Remaining on Dockets	5,311 4,433 979	22 6 16	1,5		2,354 2,637 317
		Octob	er Ter	-	
Cases	1977	1978	1979	1900	1961
Argued during term	172	168	156	154	184
Disposed of by full opinions	153	153	143	144	100
Disposed of by per curism opinions	:	:	1	;	10
term	162	163	154	183	210
Reviewed and decided without oral argument Total to be available	129	110	120	130	134
for argument at outset of following term	75	79	78	102	126

CASES COMMICED AND TERMINATED BASING THE PROLIFE CHAPTER PROLIFE STREET, AND 30. 1982, BY CARGOTT

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U. S. PRISONER PETITIONS	963		4.522	774	1,000	-	1,000	821	462	***	2541	2.202	87	347	-	
DTHER W. S. CRYPL	3,012	1,360	1,300 1,500 1,600	2 100		***		1,012	251 801 808 2,070	477 721 1,624	473	397	100	47	- 74	
PRINT PRINCIPLE PETITIONS	7,000	1.631	3.000	1,100 1,307 1,725	919 204 1,860		- 12	2,120	901	721	1,867	1,616	82		76	20.
MARKET CIVIL	7,846	1.000	8,618	7,729	1,000	200	1	1,320		1,200	1,365	1,549		204 879	40	98.3
SHIP PUTATTINE	3533	2.110	1140	3.100	72	10	84	176	113		230	194	246	879	110	50.1
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S. PRISONER PETITIONS	1 3	123	***	37	24		24	29		27	-	-			2	
THER W. S. CIVEL	341	884		-	- 21			20	. 9	27		•				
MIT PRINCIPLE PETITIONS	7		*10		73		70	199	62	143	201	100		47	22	19.1
THE PRIVATE CIVIL	198	100	226	120	-		20		22							
MINISTRATIVE APPLACE			8				-	1			101	**		21	18	20.8
RIGINAL PROCESSING	-	31	720	762	240		240	270	82		211	143	-			
	1 7	**	20	•	- 1		2	23	1	224	- 1	-	-	**	35	
FIRST CINCUIT		1,040	981	994	240	-	218							-	1	
PORTON				_	_	_		-200	292	194	277		- 17		87	1.0
S. PRINCES PRINCES	115	163	190	123	62			37	24	13	67	-			-	
THER U. S. CIVIL	-	199	210		-1		. 9			9	10	- 1				1.4
NIV. PRISONER PETITIONS	28	102	-	***	- 22	10	-	60	20	30	82					
THE PRIVATE COVOL	190	475	462	262	- 4		- 4	22		50	27	21			7	
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HERMA PROCESSIONS	**		94	81	10		- 61	20	21						8	

These figures do not accurately reflect the true reversal rate in this court of appeals. During the year, cases which were both reversed and remanded in the First Circuit were reported as remands. In other courts of appeals, similar situations were reported as reversals. This practice resulted is artificially law reversal rates for the First Circuit.

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COTA CARROLLE TARREST AND PARTY AND THE PART

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PFR6	198,714	JM.91	189,413	JM.434	\$4,642	78,772	73.249	81.007	194.971	135.434	******	-
	Lett	3.732	1214	LERE	Little	1478	1,747	1,007	1,120	1000	1000	
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		THESE CO.	IL CARES			V.S. C.	TIL CARE			PRINCIPAL OF	CENTA CHES	
BIBTRICT		-	1986	7		-	-			-	100	A.
41w	19,329	18,842	19,679	18,010	4,832	8,762	1,794	3,497	10,492	11,490	11,317	19.625
	3,129	3.601	3.200	3.000	***	1,320	1,302					
K.I		1,000	1.002	1.400	- 111		-	662 438 612	2,184	2.272	1,000	2.87
MC#	704	1,300	1,100	900	384	973	212	-	125	417	***	870
·	761	1,300	8.982	904	101	1,473	907	412	122	661	479	47
BC	2,007 2,114 1,204	3.204	3.300	1.003	1,100	1.473	1,000	0.074		1,701	1,844 1,847 1,947	
94.5	8,114	1.45	3.466	2.870	487 436 333	1,120		242	1,367	2,767		1,721
	1,294	2.534	2.376	1,483	436	1,120	990			3,450		
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	2.230	1,800	1,943	1,773	814	726	876		900 900 900 900 900 900 900 900 900 900	229	300	1,200
87m	24,111	23,845	21,767	25.525	4,478	1,172	8,827	1.111	21.017	18,422	15,000	25,525
LAS	6.400	5.488	6.297	0.000		***		***	6.827			
LAB	2,300 633 2,007 3,400	1.123	443	1,100	122	***	224	154 704	****	4.000	4.357	1,691
LAB	2.300	1,123	2.010	2,832		5.271	-	-	1,544 010 1,770	1.636	1.448	1.691
2:	. 633	9,929			210	888	200	224	-	1.00	711	2,124
710	2.007	3,710	1,648	2.676	881	672	473	284	1.700		972	
	3.480	3.710	1,747	3,963	***	1,249	9,988	914	2,636	1.487		8.72
78.8	1.000	2.420	1,969		500	505	454	874	1.000	1,626	1,293	122
78.0	1,010	1,000	4.957	6.100	967	1,842	3,988	904	4.636	3.790	2.124	
	23	2.000	1,023	1.330	***	***	796	***	1,200	1,267		
			24	-	3				21		88	
#TM	21,762	EL141	78.000	ILAM!	1,221	8.875	8,841	8,842	12479	13.185	11,218	15,422
ET #	3.000	1,400	1,831	3.170	2.046	700						
	1,846	1,879	1,801	3.170	481	455	1,380	2.000	1,000	===	551	1.000
M	4.879	0.222	5.400	6.041	1,224	2.500	1,010	1.471	3.000		749	1.254
	1,000	1.748	2,001	1,713		963	1.000		1.667	***	3.547	6,179
	8.767	8.P82	2.741	4,814	5,100	1.000	1.169	1,801			960	1,070
	3,130	7.598	1.000	3.779	5,959	1,967	9.598	1,000	1.007	1,040		8.518
	***	4.500	1,000	830	373	704		20.1	422	-		2.304
		5.858	1,818	1,493	294	*82	883	293		-	770	-
		1472	1,874	1,493	217	904	901	321		704	121	1,079

CIVIL CAME COMMICES, TRANSMITTED AND PROBLEM SANISM THE TRACKING COMMITTED AND ARE NO. 1965

		TETAL CO.	IL CARE				TIL SAGE			PROPERTY OF	-	
DISPRICT	70	=	1000	ALT:	T	=	=	T	75	=	1000	7
77w	14,427	17,000	19,347	17,000	3,062	5.000	5,649	8,142	19,744	11,000	1411	11.01
BLB	6,300	7.762	4.000	2,172	1,170	1,000	1,200					
BLE	1,147	1,824		1,000	290		247	1,443	8,210	6,350	1.000	8,731
PL	1,547	1,242	9,898	1,271	344	382	-	200	793	792	630	79
19.5	1,000	3.013	1,492	2.401	847	1.000	752			773	740	
*I.A	1,900	3,240	2.301	2.020	854	2,172	1,273	1,457	1,000	1879	740	3,616
	1,343	1,000	1,810	1,431	305		224	200	-	1,070	1,000	5,471
	***	1,000	1,500	***	200 200 201 201 201 201	430	993	234	1,233 1,401 676 537	670	934	1,800
***	11,240	74,182	12,729	12.694	3,209	1.549	1,000	3,000	8.021	7.524	1,829	6.736
48.5	1,733	2.022	1,000	1,004							-	
		1,000	1.054	1,515	740	1,500	===	276	1,272	***		1.774
140	- 2	861	479	844	~=	**2	***	270		467	200	
18.5	***	1.020		1.004		233	194	126	200	330	204	241
	1.067	3,297	3.943	8.201	187	1.001	334	887	210	631	810	1,270 670 340 697
	1,330	3.244	1.024	1,760	-		1.045	848	1,266	1,300	1,120	1,433
	1.013	1,000	1.797	2.224	222	***	***	426	1,847	1.800	1,320	1,331
·	1,184	1,649		1,100		425	215	736	5,418	1,016	1,841	1,484
	306	361	309	277	177	201			***	624		
	*63	879	0.10	872	100	210	170	148	176	100	130	236
	24.198							100	416	301	394	342
		27,055	25,042	25.851	1,052	12,000	11,801	9,852	15,399	14,000	13.261	15,000
	1,727	870	1,497	831	221	248	177	200		220	-	***
Can	3.621	8.761	2.463	1,000		1,000	1.000	790	1.004	1.105	200	1,225
	1.637	8.870	6.262	4.199	1,437	3.200	2.002	1,799	2.304	2.300	3.230	1,226
243	1.042	1,804	1.200	8.182	667	007		990			***	2,479
24.5		0.750	6.421	8.378	1,290	1.300	3.544	1,210	3.787	4.654		1,179
	1,007	1,000	1,840	1,679	900	8.06		879	740	791	-	4,756
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1.0			1.000	1,000	430	***	657	472	1,234	1,336	1.010	
	2,460	2.000	2.200		313	490	310	434	200	***	300	
	98.9	250			1,010	1,100	1,210	900	1,488	3,194	***	1.000
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		TRUM, CO.	TL CAME				Y24 C4443			PRINCE O	ETYTL CARE	
DESTRUCT		=	1986	700 III. 1001		-	1000	7000 (m) 700 (m) 7002	7	-	1	7
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	1,764 773 670 680 1,767 1,767	3,100 1,295 1,295 887 3,911 4,604 5,304 1,194 1,317	1,040 1,012 043 1,403 1,403 1,004 1,003	20.210 1,007 1,007 0.00 4,307 0.000 1,000	483 114 88 100 1,041 8,740 8,90 100 100 100 100 100 100 100 100 100 1	1400 1011 1011 1011 1011 1011 1011	1,71,7 343 343 120 1,024	000 200 174 174 180 180 180 180 180 180	12.074 1.362 607 677 678 1.540 1.540 1.540	1304	11,000 1,400 000 731 433 2,374 2,375 2,380 007	13.84 1.46 95 95 95 95 95 95 95 95 95 95 95 95 95

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CONTRACT ACTIONS, TOTAL	21.700	87.276	24,200	-		***	
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MEAL PROPERTY ACTIONS, TOTAL	9.067	MI	4.792	947	979	149	
CONSTRUCT TO ST LAND PROFILES AND EASTINGST TOUTS TO LAND CONSTRUCT PROPINS ACTIONS	100	-	3		-2	91	•
TORT ACTIONS, TOTAL		25210	***	2,777	8.240		**
TARGET STATES	901 1270 1270	1307 13017 1304 1304 1317 13175		1		907 775 786 1,974 682 11,880	
DIRECT PERSONAL PROPERTY DANIEL	1,450	Lest	111	219		1477	



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ACTIONS COMES ETHN/TEE, TOTAL	m.m	R.De	APR	11.777	98.791		
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THE PROPERTY OF	441	1,000	"		-		
PIGGORIA GITTES	100	-	170	181	- 4		
	113	194		120			
CONTRACT MATERIAL CONTRACT	1340	1.000					
		1.004		1,887	2.000		
CIVIL DIGGS				30 1	170		7
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All Thorne was affine	- 12	315	210				
MENTAL SWETT AND MALTO ALT	-	212	217	-			
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SAIR LAND STANDARDS AND							
LANGE CONTRACT COLUMN ACT	1,760	1887	-	78	679		
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MIN MORITY LAN		1,376	***	100	1.00		
SAN INCOME.	200	-					
STANDARD COMPANY	119	100		- 2			
BATTLEMEN MINETED PROPERTY (TAXABLE	1400	5.000		0.000			
STREET OF SECTION SECTION	1.00	3.879		1.079			
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THE COLUMN TWO IS NOT THE OWNER.	2.000	4.881	2.041	0.219			
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OTHER ACTIONS, TOTAL		-	-		4.791		
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						DURING ON AFTER TRIAL				
MATURE OF BUILT	TOTAL	COURT ACTION	TOTAL	SEPONE PRETRIAL	DATES OR AFTER PRETRIAL	TOTAL		JURY	PERCENT REACHING TREAL	
TOTAL CASES	185,507	81,802	103,904	67,267	25,292	11,326	4,526	4,788	6.1	
MITTED STATES CASES	88,388	28.927	29,441	24,893	2,903	1,885	1,545	140	2.0	
CONTRACT ACTIONS										
RECOVERY OF DISTRIBUTE AND	-	1,746	932	817	**	10	10	-	0.7	
ENFORCEMENT OF JUDGMENTS	26,206	22,127	4.071	3,907	***		**			
OTHER CONTRACTS	2,462	1,854	820	942	100	- 55	62		2.3	
TORT ACTIONS		2.242	1,876	188,5	204	**	**	•	2.1	
MATHE PERSONAL TRACETY METOR VENICLE PERSONAL TRACETY	150	.00		30	36	24	24		18.2	
OTHER PERSONAL ENGINE	2.004	262	204	126	104	63		2	99.6	
OTHER TORTS	302	767	1,301	627	367	277	254	21	13.5	
ACTIONS UNDER STATUTES		201	181			48	•1		11.3	
CIVIL RIGHTS	82	34	30	16						
EMPLOYMENT	848	306	843	248	188	136	139		18.8	
OTHER CIVIL REQUITS	876	388	817	466	**		- 66	- 1		
PRISONER PETITIONS	118	67	51	41					4.2	
MOTIONS TO VACATE SENTENCE	1.100	143	***		_	-		- 1		
MARIAS CORPUS		171	1.614		.2				0.7	
MANGARAS AND DTHER	36.7	50	301	200	28	*	42		3.4	
CIVIL RIGHTS	733	76	***	424	100	22	21	1	3.7	
LIGUOR FORFETTURES	3	3		-	-	-			3.0	
OTHER PORTETTURE AND PENALTY SUITS		1,747	1,906	1,221	185	134	110	24		
FAIR LABOR STANDARDS ACT	1,160	545	505	336	200	82	82	-	4.4	
	763	394	360	266	86	**	84	2	7.3	
SOCIAL SECURITY LAWS	1 7					-				
HEALTH INSURANCE	276	43	213	183		-		- 1		
BLACK LING	614		400	441	"	2			0.7	
DISABILITY INSURANCE	8.872	1,243	4.309	4.100		20	24	- 1		
SUPPLEMENTAL SECURITY INCOME	1,430	363	1,076	1,023	40			- 1	- ::	
RETIREMENT AND SERVICES SENETITS	112	22	90		7	11	1		2.4	
	2.201	401	1,900	1,760				9	0.4	
ALL OTHER U.S. ACTIONS	3,948	1,001	2.687	1,463	340	200	197	67	0.2	
1.1111111111111111111111111111111111111	2,007	1,8281	2,818	1,000	799	291	231	12		

CIVIL CASES TENETRATED, SV BATHER OF BUILT AND ACTION TAKEN (LAND COMMONNATION CASES CHITTED) PURISH THE THELVE SENTE PERISO ENDED AME 30, 1002

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BATURE OF BUILT	TOTAL	COMMIT ACTION	-	MPROE PRETELAL	-	TOTAL	=		PERCENT MEACHINE TRIAL
INIMA GARITION	72.810	24,197	48,413	21,347	11,842	6.182	3,362	1,001	,
CONTRACT ACTIONS MARINE WILLER ACT OTHER CONTRACTS KEAL PROPERTY TORY ACTIONS	1,047 793 272 860	2,000 444 181 181 82	2,303 348 121 786	1,00+ 173 80 721	1,130 131 24 86	220	216 37 12	**	1
SUPLEYERS LIABILITY ACT CARINE, PERSONAL INJUSY OTHER PERSONAL INJUSY OTHER TORTS ACTIONS LANGER STATUTES	2,036 4,114 146 2,004	1,213 67 1,030	1,372 2,601 81 1,064	300 622 48	1,000 200 400	243 276 7 136	134 134 3 122	250	:
ANTITRUST CIVIL RIGHTS	1,363	1,346	783 818	425 403	73 363	123	:		:
OTHER CIVIL RIGHTS PRISONER PETITIONS	8,480 7,847	1,804	3,546	1,201	1,210	1,000	431	:::	12
MAGEAS COMPUS MAGEASIS AND OTHER CIVIL RIGHTS FAIR LABOR STANDARDS ACT LABOR MARAGEMENT RELATIONS ACT OTHER LABOR LITICATION COPYRIGHT PATENT TRADEMANX COMSTITUTIONALITY OF STATE STATUTES	7,831 162 14,187 883 4,028 3,364 1,841 918 1,848	1,648 25 1 2,132 1,702 806 466 979	127 127 12839 332 1,800 1,802 645 510	110 11,225 130 130 130 130 130 130 130 130 130 130	120 472 473 473 182 179 22+	115 200 200 200 200 100 116	112 623 60 162 163 41 76	3 176 16 34 84 10 30	1
ALL STHER PESENAL CHESTION	8,348	2.529	3,820	1,727	1,740	247	212	124	

TABLE CO. U.S. DISTRICT COURTS CIVIL CASES TERMINATED, OF GATHER OF SHIT AND ACTION TAKES (LAND COMMUNICATION CASES GESTED) DARLING THE THELVE GESTE PERSON GESTED ARE 30, 1902

			_	-		OT ACTIO				
						PRING OF AFTER TREAS				
SETURE OF SHIT	TOTAL	COURT ACTION	19144	-		19144	2		PRINCEPT MEAGING TREAL	
DEVENEUTY OF CITIZENSMIP	43,857	17,902	25,004	19,000	10,494	4.412	1,562	1430		
CONTRACT ACTIONS INCURANCE INCOTABLE INCOMENTS OTHER CONTRACTS REAL PROPERTY TONT ACTIONS	4,430 1,111 14,510 2,511	1,751 512 7,806 1,866	2,470 100 0,111 1,221	130 430 617	1,000 152 1,200 274	466 60 1,430 140	201 89 883 79	267 22 567 61	1	
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TABLE C AS S. S. SEPTIMET CHAPTS COVIL CASES TRANSMISS., OF PROTECT AND ACTION TAKES (ALMO CONSUMERATION CASES INSTITUTE) BARRIES THE TRANSMISSION CASES AND ACTION THE TRANSMISSION CONTRANSMISSION CASES AND THE CONTRANSMISSION CASES AND THE CONTRANSMISSION CASES.

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CIVIL NO COMMON, TRIALS COPPLETO, OF SCIENCE

MAJOR THE PROLIT COURS PRINTS CARD AND 20, 1992 (STREE CITY), SECURIO TRIALS OF SECULLARIES CARDS!

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^{*} INCLUSION MARINES ON THE PROPERTY AND PROCESSION OF PROCESSION PARAMETERS OF CONTESTS OF THE PROPERTY OF CONTESTS OF CONTEST

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THREE ST. M.B. BESTREET COMETS

CIVIL AND CHINGAL MINLS COMPLETED. OF STREET

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^{*} INCLUDES HEAFINGE ON TEMPORARY RESTRICTIONS CHOICES AND PRELIMINARY PRESENCES IN CONTRACTORS AND CONTRACTORS PROCEEDINGS IN MICH. EVIDENCE IS INTRODUCED.

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CASES OF CASES CHICAGO AND TERRESHEED DATES THE TREAT CHICAGO CODE AND 30, 1942

	-	THE PLAN	AT 1, 1991								
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DISTRICT	19144	PELSET	200-	ones	1914 00-	TOTAL	PELONY	===	_	-	-
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CRISTING CARN COMMISSION AND TERRESTOR PARKS THE TREATMENT COMMISSION PRINT COMMISSION AND 20, 1982

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CHARGES, DEPTH ANTE CHARGES AND TERRESTED DATES THE THE STREET CHARGE SHOULD AND 36. 1962

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TABLE D-9 DEFENDANTS U.S. DESTRUCT COURTS
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:		:	2						1		-	
		1	1	:							3	
	:	3	3	37				i	i	;	-	
			-					-	:		•	
2				ī		•	**	:	i		:	
	. 12	262	122			-			•		-	
-						-	-		- 1	_	-	• • • • • • • • • • • • • • • • • • • •
		- 2	12	:			2	19		i		
22	3	- 2		59							:	
3	7		12	**		•		•		:	3	
			-					•	i		3	
		1										
9												
0.	- 1					,					:	

ž

TABLE D-6 DEFENDANTS. U.S. DISTRICT COURTS
ALL TREADLE CREMENAL DEFENDANTS PENDING ON JAME 30, 1862 BY MAJOR OFFENDE AND DISTRICT

					-	orreses.			
BESTRUCT	191AL	MINICIPAL	-	-	BROLET	Labour	man-		-
101w	391	,	16	-		***	-		100
CO	72					-		- 4	
	27		2				:	13	
OLA	17								
							:		
or	47								
	21		:			12		•	
117m	1,002		24	12		-	-		
4.8	62					-		171	
	49							,	
L.B	25					7			
	177								
	1,653		12			22	1	*1	
AB.	25		•			11		**	
AL.								,	

TABLE D-0 DEFENDANTS - 9 S. DESTRUCT COMMYS
ALL TREADLE CRISTIAN DEFENDANTS FORDING ON ARM 30. 1962 BY SAJES OFFINE AND DESTRUCT

		*****	PRIS. P				-	CDCOM7 0	-	-		
									_	-	-	_
CHROVE AND BUSTRACE	-	THE REAL	COL TOBAL	Carrier Land	-	ment	TRAFFIC	重	LID DO- Plants	-		AITIE
91	24	- 1	17		22	,	13	16	17	34		24
	**	*	,	:		;	;	3				
	2		i	19	9	:			•		:	3
	- :		:		-	1			-	:	*	2
	3		:		-				,			
91	129			21	- **	- 11		13	- 11	221	191	-
	:			:	:			•	-		22	3
	2		:						.:		- 13	
	19	:	:		37	i	:	•	31	100	482	**
	*					•				:	**	

[&]quot; ORDITACTING MAIL, MAILING MO MAILABLE MATERIAL MEDITAL REGULATIONS.

TABLE 0-10 DEFENDANTS. U.S. DISTRICT COUNTS STATUS OF DEFENDANTS IN CRIMINAL CASES PERSONS AS OF ARM 30, 1982 BY DISTRICT

			-	-			THE			TRANSPORT	
CINCUIT AND DISTRICT	PERM	PARITINE	CONTRACT CONTRACT	1000 PM	emes		1116 1727	ATTEN ATTEN TRIAL	TREAS.	ongs	OTHER STATUS
10TAL	24.002	9,749	87	183	41	3,221					
C	210						149	290	7,848	2,677	- 52
187	799	227				17		19	- 84		
		-	_		-		- 1	12	343	-	- 11
	700	-	•	:	:	3	:	**	47	21	-
		32	:	1			1	:	1	:	
-	2.101	UN	-		- 2	+41		**		***	
	1,300	1		:		39 18 180 220 27	. :	**	27 175 286	***	
	-			_	- *	216		21	422	171	
•	3+3 3+0 125 140 230		!	:		-	:		***		i

TABLE 9-10 DEFENDANTS, U.S. DISTRICT COURTS STATUS OF DEFENDANTS IN COURTS, CASES FEMALES, AS OF JUNE 20, 1982 ST DISTRICT

			-	ALL .			THE			TRIANGE	
CINCULT AND BISTRICT	101AL	PARTIN	DE CONTRACT		-			PARTIES AFTER THE AFTER TH	AMAZY TOWN	-	emen etatue
etw	1,742	479	- 1	,	9	212	91	19	724	141	
Ž4	***	190	-			165		1	221	**	
	100	82							100	7	
C.		14	9						=		
A.E	373	126				26				85	
N.S		19				10	- 1	**	121		
W.8		20				1 2		9	- 11		
87W		1,200				200	**		***	13	
AS		162						-	- 104		- 18
						19		:	*		
	34							2	34	-	
ii.	130	26						-	**		
K.E		11					9	8	191		
		***				78		10	. 21	22	91
		343				**		14	184	199	•
61W	1,880	628	10			200	- 10		704	**	
	116	20									
	199	30						2	190	7	87
******	199	90			9	21		- 1	- 22	.1	- 10
	***	**			-	42		-	=		21
	188	82				- 22			- 22		7
	188				-	- 44	- 1	9	74		



TABLE D-10 MERCHANTS, D. S. SHETTLIST CHARTS STATUS OF REPUBLISTS IN CHIESTON, CASES PRINCIPLE AS OF ARM IN, 1962 OF DESTROY.

			-	-	_		THE			-	
BISTRICT	TOTAL PROPERTY.	PARTING	- Indian		-			PRINTED TO	Min.	_	.==
77w	1,167					***					
DLB	***	222		-					121	110	-
ILE	120	10							279		
	1 25				1	7					
IRS	100										
40	***	20				100			89	20	
	-					14		21	19		
###	- 179					194				•	
	**	19		-				-	529	123	
******	- 12					17			21		
	- 22				2	7		:	81	7	1
20000000	196									**	
	182	-				24			- 61		
	***					- 11		:			9
*******	94	- 5					ī	- 1			3
*******	**				2					- 7	
FTM	9,770	2.110			7			*]	**	100	
. 1	-	-	_	182	- 1	927	- 72	127	1.202	-	
				9		**			**		
*******	470	224						**			
	-	190			- 1	- 22			100	17	
	1,010						7		107	**	**
2222222	100	220				94		46	-		
2212-261	39				- 1	•		•	- 67	49	
********	200	- 22				-		:1	81	(8)	
	101					**		- 1		- 2	
*******		**					2	2	**	7	
	100	100			-	**		2			
*******	12							- 1			

PART OF REPORTS OF REPORT OF THE PERSON.

		_	-	-			nin.				
CONCEST!	190 H.	PARTIN	DE- DE- CONTRACT	1	-	===	1	**************************************	Martine Teles		-
181w	94+	200				J11	-		122	-	-
	11		:	:	9 0		9 8	1010		-	
		9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9				- July		98	-	-	

THE LINES MAY PERSONS SEPTEMBERT THE CAMBET BE CLASSIFORD UNDER A PERSON OF EXCLUSIVE DELAY OF STATUS CATEGORY.
THE LINES SEPTEMBERTS IN A PERSON OF EXCLUSIVE CELAY UNDER TITLE IS U.S.C. SECTION STREET,

STREET THE SPREATS, S.A. MINIST SEATS SPREATS THE THE IS SEAT TO SEE AND THE ACT

	-	-	- 1	-		-
	-	-	-	CW		
CHEST .	-	-	.75		-	.THE
-	10,441	-	= 1		-	-
-	. (85	146	-	-	-	65.7
-	m 1	-	-	L-MET	-	44
	1	111	H	1	1	H
-	1.000	1.000	95.4	2.70	-	-
		1	1	.ffin	. sine	Inn
-	-	-	-	2-120	1400	99.4
	Ind.	ini	min	Hills	mu.	THE STATE OF
-	-	***	-	4.000	N/BE	10.4
	Henry I . Street i redeend t beet. I mitte i berte i it	I	tellegert e berterlege e telebette e telete e tette e telefe e	The state of	i i i i i i i i i i i i i i i i i i i	Freezest : Freezest : Freezest : Freeze c ceiter c : 1
-	1,794	1.700	95.7	3,000	1,000	95,4
	1	.i.mi	Interior		.imi	teretife
-	-	***	-		8,000	
	1	i	illimi.		нини	

MARKET PAR APPROPRIATE ALL STREET CHART THE APPROPRIATE AND THE PROPERTY AND THE PARKET AND THE

	-	NA THEAT	-	-	. 180	
	-	a t is 141	- 1	-	OF 10 1019	-
	-		-	TO THE	7.25	
-	-125.	_	742		_	711
-	-	279	-	5.707	1.00	
	ii.ii.			71111	=	Hiller
-		-	-	2.00	1.00	
		m.tim.n	min		Himm	tetete
-	2.001	0.001	***	1.000	1.00	-
	The state of the s	utilizzie i i niventiffite i m. tinc. i	tretter : Helle telefferen : Hiller : Hiller	i mini i minimi i minimi i minimi i minimi		
-	***	- 171	10.0	-	1.000	-
		1				THE PERSON
MA.	1.000	1.900	46.0	5.000	4,401	
		arilline in	mini			

THE P-11 STREET, U.S. SHITTER COSTS

		=				=	
	=	_	=	三	=	THE SALES OF STREET, S	=
191m	21.000		79.4	PN	TERNITE E BEREITE E TOBRESTONIES E TERNITOR E TERNITOR E	1648	-
		- 18		11.6	957	=	=:
-	-	- 194	27.4	DLA	-	=	00.1
	1 -5	-	31	2	-		-
1	1	-	=:	etu	1881	1.000	79.0
-	100	1000		==	**:	100	21
er	915	**		100			70.1
=:	=	-	=:		-	121	-
er	1	-	21.0	1	116	7	-
-	1419	1.788	81.6		***	-	97.4
	-	-	= 1	-	- 4216		-
2	1 12		=:	ä.	=		
91	***			GAZ	1,000	=	-
-	1	741		=	1	1.00	
21	19.	179	=:	=	100	**	
		. 224	E :	E	=	225	
-	1	931	- 21	=	E	1	
-	218		***	sere	1,479	3.000	_
***	1476	1784		=	272	225	
14.0		-	=:	1.	100	17	-
=:	97		=:	24	-	,	- 1
78.5	1.3		51	-	=	74	
70.0	976	***	2:	118m	4211	Arms	
-		- 180		2		=	
***	-	*	70.0	P. 8	100	-	-
=1	100	Pen	97 A	91.8	1,916	==	
	1 =	175	-	2.5	967	-	2.5
***	1 111	-	=:				

DEPENDENTS IN THROUGHOUS CHIMINAL CHICA THE HIS DESCRIPTION IN CHICAGO TO STATUTE OF STA

		_		-		_	_	-	-	-	-				
BOBTROCY		#18	-	1-11	2	***	2	11:00	1	21-11	142	171-11	102	3	Z.
TOTAL .	Big 11	8821	19.4	2981	20.7	*****	27.0	-	-	-	-	-	CORP.	-	-
«	-		24.0	129	12.2		21.1	**	24.2	111		*		-	- 1
181	1817	28	-14	-	9.1	12	30.0		91.2					-	
	27:00 23:00 23:00 27:00		3:			**		:					"		
	130 100 100 100 100 100 100 100 100 100	:	***	20	27 ·		::								
	919 919 919 919 949				22								,	1	,



TABLE 9-13 DEFENDANTS IN TERMINATED CRIMINAL CASES THE NAME SEED DETAILED IN CONTROL PRODUCT COUNTY
SHEETING THE TRACKY COUNTY FRAME SEED, THESE
SHEETING THE TRACKY COUNTY FRAME SEED, THESE

							_	-	-	PHT	MIN.				
CINCUIT	191AL	PETAL	-	1-10	-	11-00	100	21-91	pers.	21-121	-	121-11		101	100
BESTRICT	Base 19	200	CERT	-	a										
ets	4281	818	56.4	219	28.0	132	21.6	288	41.8	,		-		_	-
	276 186 246 680 5406 187 68	71 91 92 93 98 98 9		50 50 30 30 37	27.6 28.6 19.7 63.6 44.2 34.6 7.7	20 10 10 10 10 10 10 10 10 10 10 10 10 10	20 to	20 27 20 20 20 20 20 20 20 20 20 20 20 20 20	90 4 41 7 30 0 31 3 31 3 41 8		.;		4.7	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	2
87w	2000	799	19.7	274	28.7	179	23.1 17.4	12	38.7			:		:	1
	362 48 161 63 111 172 1630 676 7		21 t	20.20	11 1 12 1 14 1 14 1 14 1 14 1 14 1 16 1 16 1 16	22	18.0 23.3 22.2 0 4.0 14.0 28.0 28.0	4	87.6 68.7 33.5 34.6 34.6 34.6 34.6 34.6 34.6 34.6 34.6	***	10.0	***************************************	2 0 0 0 0 0 12 0 12 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0		
	302 635 635 173 336 170 342 370 421	98 97 98 98 98 99				7							******		

TABLE 9-13 SEPERANTS IN TERMINATED CRIMINAL CASES WERE NOT SEED DETAILED IN COLUMN TO DESCRIBE. PLEA OF BUILTY, OR TREAL PARTY FROM THE PROPERTY PARTY PARTY

				\vdash			_	-	-	PHI					
CINCULT AND DESTRUCT	1774	HEAL	1	1-10	1	11:10	***	17:00	-	11-12	10	111-11	-	777	-
77w	1767	179	10.3			-		_		-	-	-	CERT	-	CORT
RLM RLC SLS SMM DMS WLS	742 204 137 146	60 60 60 60 60 60 60 60 60 60 60 60 60 6	20.0	***	21	,	21.4	1			2				
879	2040	371	12.2	129	44.3	- 29	19.7		20.1	12		,	1.1		1.1
	219 81 100 112 213 200 400 130 130	134		9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9	20 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0		200	3 4 3 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5	# 4 # 4 # 4 # 4 # 4 # 4 # 4 # 4 # 4 # 4		2.0	***************************************	2		-
	140 150 150 150 150 150 150 150 150 150 15		20 0 67 6 24 1 23 1 67 8 74 2 7 9 8 40 2 14 8 20 8 40 2 14 8 20 8	12 130 130 20 20 20 20 20 20 20 20 20 20 20 20 20	# 1	63 63 77 77 77 77 77 77 77 77 77 77 77	35 0 37 0 38 0 22 0 11 7 12 2 37 2 38 7 30 2 30 2 30 2 30 2 30 2 30 3 30 3 40 4 30 4 40 4 40 4 40 4 40 4	10 12 12 12 12 13 14 15 15 15 15 15 15 15 15 15 15 15 15 15	22 3 27 6 28 6 40 6 40 6 40 6 40 6 40 6 40 6 40 6 40	17 22 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0					

PARAMETER DE TERRESCO CHIMINE CARROL DE SER AND RELATION DE CONTROL DE CONTRO

		_	_	_				-		2.00					
SEPTRACT	器	-	1	1:10		11-10	2	-	-	***	2	**	12	-	i.
10th	1000	***		42		21								-	-
	207 227 134 121 201 201 201 201 201 201	***			2			2.55.	-		******				
	\$210	1211	20	814	41	117		-			•				
				1								27			

TABLE S 1. FEMBRAL PRODUCTION STREET
PRANTE BACKETON POR AND ADDRESS FROM DEPOSITIONS
PARENT THE THE STREET PRINTE COMP. AND 30. 1002

	-	—			-	UMP.TH.	DESCRIPTION OF THE PERSON OF T	_			
BESTRICT	721100 721100 AUT 1.	TOTAL MICETAND	-	***	786- 1914 1914 1918 -1118	11. 10. 11. 11.		=		PROM	
101AL	59,279	29,772	21421	12.200	2,812	Less	1,000	1,002	297	1,812	124
«	1,679	1,000		200		122	201			90	182
187	1,002	1,024	994	827	162			- 11	12	91	121
	200	2	87 863 86 127 187	20 20 43 43 49 74	:	4	1	1	;	37	
	1.054	3.100	1,811	1,217	100	*05	262	161	- 24	129	812
e	27 278 278 288 288 288	137 1210 1201 242 66	, see	87 387 878 87 38	-	163	10 173 124 33 3	***	1	:	311
-	-	1.100	2.019	243	194	211		122		192	245
	120 1411 1407 140 140 141	77	200 01 177 177 178		1	#		4	1	2 20 01 2 10	,

PRINCIPE I PRODUCTION PRINCIPED PRIN

			-	20 mg	PER SE	-					
I	1704 1706 1706 1706 1706	**		U.S. MAIN- TRATE TOOM	-	1907 1907 191,4494	BILLI- TARY PAROLE	PREIA	7		CENCULT MATERIET
20,070	32,439	12,220	1,002	1,000	7,850	1,000					
un	1,162	200		188	412			1,794	7,234	36,372	701
1,048		471	119					- 11	120	1,822	*********
		24	-		134	- 11	12	- 80	129	1,482	
630 630 102	#	267 20	•	•			i	22	12	104	*******
		**		1	20		:	i		100	*********
3,280	2,639	1,273	185	262	492	200				204	******
254 134 134 134 134 143 143 143	124 104 100 100 34	134 447 193 30	'	200	***	1	1	17	30 20 20 20 20 40	3	
		871	523		414	124	17	118	279	4.120	
20 000 172 030 137	725 725 132 132 132		-	122	17	:	į	:	-		

TALL I 1. FORMS, FRONT PRINTS

	-	-	_		-	U-10 (10)	De Taring	_			
BISTESET	-	TOTAL MICELYND	100	=		=		=	WILL- TANT PARKET	-	I
ets	6.011	4,449	1,777	1,148	188	1,637		129			871
	7511154	429 429 422 422 481 644 230	1,273 342 347 547 728 276	12	2	793 172 17 200	***	:		**	
2	2	133		120 120 27	3	21	1	1	;		134 34 15 22
	70	434 116 200 121	234 64 234 64 110 120 120	190 17 57	40 20		***	27	!	***	1280
9	1,793	130	123		į	=	212				
	1.439	3.561	1.04	1,418	154	- 100	758	183	37	138	
	1,562 1,562 154 164 167 167 167	910 676 636 936 617 918 949 949	170 647 179 401 944 944		2	french		-		30 	

TABLE E 1. PENERAL PRODUCTION SYSTEM PERSONS INCESTED FOR AND RESIDENCE FROM SUPERVISION SAFING THE TRELITE GENTS PERSON CODER JAME 30, 1962

			_	-	APPENDING.	_					
8		=	796- 1914, 0149 -6180	TION	-	-	MILI- Tabr	755	-	事	CINCAL!
4.200	3,310	1,162	127	1,530	795	122	34			4,242	
1,297 463 907 911 440 460 226 42 132	360 217 431 411 643 983	210 102 125 200 232		147 25 163 163 162	203 64 66 661 137 28	2		19	273 162 80 80 80 108	180	-
	103	**		**	34	:	i	:	20	362	:
9,049	4.816	1,790	274	***	1,218	244		324	LUM	8,049	
277	431 108 234 77 160 837 201 1839 943 147	971 382 125 48 271 383 188 807 180		34 34 36 37 43 46 34 34 32 5	21 19 19 20 20 20 20 20 20 20 20 20 20 20 20 20	23 12 18 2 8 8 8 9 8 9		***************************************	20 20 20 20 20 20 20 20 20 20 20 20 20 2	100 210 210 210 230 1,571 430 2,744	1
3.000	1,294	1,420	244	122	918	190		194	505	5,118	
		67 106 261 167 246 147 110 213	24 13 67 27	20 227 12 31 59 20 77	243 243 50 113 126 63			17		381 3113 387 631 631 188 438	

	-				***	-	No. of Lot				
CINCUIT ME DIBINICT	WATE.	MELETINE MELETINE	=	=	This series	=	-	=	-	725	-
TR	1012	1340	1,893	972	250	241	-				_
	2.188 341 367	230 230 168 234 234 234 24 262	***	***	120	-	144	- 111	- 11	124	- 24
	307	199	130	10	**		- 1	•	7	77	14
	100	224	272	**	76	- 3	- 5				
	100	76	***	**	*	- 4		7		12	
	Litt	2,048	1,791	741	193			•		ě	
	342	220	180					142	- 1:	188	- 811
	199	97	1			11	- 5				21
	-			36			- 11			•	3
	947	200	724	100		- 3		22	:		
	341	110	***	21	- 3	**		*		- 1	
		200	180				- 1			3	**
	10,000	2,000	MH	1.000	279	1,221		***			34
	1.000	222		.00			99	,	-	-	- 1911
	100	800 800 800 800 800 800 800 800 800 800	200	4			**		2	26	100
	1,710	1,711	1,401	223	- 1	288	-	. 85		- 3	170
	100	881	-	=		241	*			14	127
	300	801	190		- 17		-			*	21
	300 300	300	290			- 2		20			
	***	*10	265	100	10		3	3		**	

.

	-		-	-	100	-					
E	=	#	7	110		=	100	720	=		EMBOUT AND BUSTNICT
2811	1.124	- 171	200	126	810	142		148	277	3,000	
			65 65 66 86			9				1.147 201 201 201 272 272	
1841	1,791	- 192	182	198	481	133	- 18	100	- 111	1,204	*********
										15.5 15.5 15.7 17.7 17.7 15.7 15.7 15.7	
4.821	8,627	LIM		UH	1,000		R		1,004	10,790	
		619 100 100 100 100 100 100 100 100 100 1								1.00 1.00 1.00 1.00 1.00 1.00 1.00 1.00	

	-					U100 FE	-	_			
DESTRUCT		190AL	*	=	4	#		=	14	700	-
181w	3.196	2.041	1,477	***	244	212					
8	790	424	201	187		-			-	- 91	- 10
	-	123 123 144	100	198		- 2	=	- 4		**	140
	191	149				7	- 55	*			
7	676 246	310	200		98	- 2	22				- 1
	188	190		- 4	37	*	**	7	•	19	100
999m	3.877	1,000	3.194	1,291	187	201					34
40	***	***	***	201	-		***	219		194	-
	294	107	127	**	7	74	94	- 1		19	**
	1,122	776	110	.25			21			91	
	1,390	***		279	*,	**	194	22	9.0	30	257
	300	212	-	***		120	112	14	:	10	270

ä

							-	-		-	
-	Ŧ	Ŧ	7207	100	=		-	4	=	=	E
	3,942	487	- 78		- 11	- 115	288	126		1,718	2.177
********		22	27	:	:	:	=	22	***	===	##3 P#1
	-	7.5			*		*	*	12	125	3
	987	91		:		-	- 4	=		257	gen gen
	148	22	1	*	3			94	-41		148
88	5,818	786	- 188		788	- 821	471	188	1,111	3,023	2.722
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	-111					3	=			199	
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	821	1	- 1		*			22	#	173	-

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TABLE 2 2. FEBRUAL PRODUCTION SYSTEM
PERSONS UNDER SUPERVISION DY SESTEMATE AN OF JUNE 20. 1962

CINCULT AND DISTRICT	19144	738	-	700	1001- 1001- 1001-	PRINCIPAL DE LA CONTRACTOR DE LA CONTRAC	70.075 70.075	PRESAL
101w	3,042	1,632	434	**	28	120	421	146
	430 601 366 157 400 334	219 241 274 182 88 182 286 67	127 83 87 27 184 28		3 2 3 3 2 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3	28 20 20 2 2 13 30 21	***	40 30 30 31
113w	LETE	3,291	UM	112	- 84	199	997	211
	363 373 366 1,122 1,641	439 184 174 113 113 113 114 115	# P			1	2	17 18 19 19 19 19 19

PERSONAL MARIE STATE OF PERSONAL PROPERTY AND STREET, AND DR. 1844

-					N. P.	-	-		
BIBTESET BIBLET	79744	-	-	4864A,T	-	LARCON		~	-
101aL		220	3.621	221	249		4999	8.736	
	1,832	25	173	- 11	- 61	179	62	192	- 10
187	1,482		- 67	17	,	199	100	250	
	433 433 140 284	!	1		:	125	;		
ET	4,840	- 11	201	- 11	- 11	-	417	927	
	1,842 1,842 1,844 1,844 1,725 1,728	i	1	•			-	807 300 340 44	
	170	- 11	254			424	204		
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PERSONS UNDER SUPERVISION OF DESTRUCT AND OFFERDS. AME 30. 1002

CINCUITY AND BISTRICT 4194 CO CC	1,843 6,342 1,843 600 600 600 600 600 1,636 371	26 26 2	410 122 34	128 33	***	LANCEUT 782	E. SECT.	7440	AUTO THEFT
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	371		-			110		180	
878	106		- 55	**		167		130	
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	1.041		236	43	14	574	524	929	-
M	421	-							
	148					**	84		
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	210			•			67	-	
4.5	300					13	94	-	
I.M	1.821					33	16	34	2
	430		24			122	120	243	24
1.5	2.744	,				42	30	76	-
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	202		***	10	3	•	21	211	***
M.M	834					37	34	42	***
	621				,	110	130	100	-
4	304					76	**	144	
	429		- 22			•1	20	-	- 22
	900					34	21		-

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PERSONAL PROPERTY OF STREET, AND STREET, A

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Table 5 4. PROBLEM STATES OF SERVICE AND LINES OF THE SERVICE AND LINES

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TABLE E.S. PERSONAL PRODUCTION SYSTEM
PRODUCTIONS THE CONFLICTED SUPERVISION OF DISTRICT AND LIMITS OF DEPOSYMENTS
SAFETY THE THE CONTRACTOR SHOULD ARREST, 1962 (EXCLUSES MEDICAL PRODUCT AND TRACTORS)

		9-1	-	•	- 19	-		- 25	-		27-	-	-	919		-
CINCUIT AND GOSTAGET	1914	-	1 mm	**	***	3	100	-	3	-	-	3	=	-	3	-
ets	872		28	10	198	192		345	227	100	87			170	194	
		18	10		70	30	34	83	30	21	14			-		
	- 55	3		3			2	34	21	19	21		- 12	27	12	
	*2	3		2		1	- 31	67	=		19		14	33 34 32 38	22 23 17	
4.6			1	2	19	198	.3		67	23 23	29	12	13	22	17	
M.B	43			- 1	- 1	13	7		- 2	*			•	34	27	
	-			9				14	- 1	7	9	1	- 1	•	1	
			-		**		1	•		1	3		2			
57H	1,226	- 12	- 67	- 10	280	198	74	962	247	126	192		97	220	187	
4	122			-	30	22	-	43	34		24			-		
A.B	**			- 1	- 22		- :	99	50	9			-	7	22	
	34			-	-	-	- 3	-	-	- 1				31	26	
1.0	255	22					-	8.9	98			- 5		10		
M			7		100	- 54	22	***	-	- 2	- 20		12	**	31	
R	180	**		**	**		29	10.91	100	63	**	30	25	75	-	
	**			-	15	19	**	- 33	-	20	**		•	**	**	
en	1.061	224		-	-	-		-				-		7		
	-		-	_	-	-	_	20.7	180	77	-	- 41	- 25	- 190	194	
	- 5	- 4		- 1		- 4	2		78	2				24	21	
	220	11			1986	- =	88	-			- 4		- 1	.2		
	192	-		- 31	20	**	**	21	- 22	18			•	7	-	
******	115	21	12	•	20	- 15	- 1	- 2	=		- 1				=	1
	- 54	20		- 1	- 2	- 12	.1	22	22			- 5		10	- 7	
	196	20	24	- 1	- 55	91		- 53	- 25	- 22	- 21		21		2	



TABLE E S. PEDENAL PRODUCTION SYSTEM
PRODUCTIONESS NOS COMPLETES SAPERVISION DY DISTRICT AND LEMENS OF TERM OF SYPERVISION
DARRAS THE TRELIE MATTE PERIOD SHOWS JAME 30. THEI (EXCLUSION REPRESENTATIONESS AS TRANSPIRE)

CIRCUIT		9-	-	•	120	24 800	-	29	-	Tree .	27	470	-	-		_
BISTRICT	1914.	197	3	100,7	191	100	1980 1980	101	-	-	101	-	-	TOT	=	Cast.
79w	720	79		19	179	194		248	-	-						_
LE	348	19	10		772		**			- 55	- 43	- 84	- 11	180	127	_
LB	76				100	7		38	- 55	100	54	*	18	100		9
	90	13	53	-	30	3	- 31	12	8 33			-	- 5		7	
1.0	50	- 22	22	- 1	30	31	1	32	26	- 1	:	2	2			
	21				7	-	1	12	25			-	2	- 3		
81w	940		42	22	100	127	-				*	3	-		- 0	
u u	71		-				- 81	191	126	- 65	47	37	29	- 80		
	98 23 33	7	•	-	22	88	- :	49	26							
	23	-		=	14	100	- 1	7	12	:			8	- 5		
	79	•	,	- 3	20		2	20		2	2	-	- 1	- 1		
	-		:		12	99	9	20	28	- 3	:		2	. 9	,	
	34	13	•		10	- 1	- 1	- 2	10	99	10		- 4	-	*	
	61	- 1		- 1	3.5		19		- 5	- 1	- 31		:	31		
#Tw	1,820	120	-				-	**		•	7		•			-
Г	-		_	- 81	H	194	188	878	345	133	184			214	-	-
*******	196	17	*	2			. 2					-	-	-	-	-
	186	14	3	7	-	- 17	-	===	2	22	90		10	20	-	
	923	87			30	**		- 40	31	75	- 13	ž	30	**	22	
	143				49	7	30	200	194	20	72		20	121	=	21
********	41	-		-1		:	:		*	7	*		**	**	22	
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	11	-1	_i_		7	•	12	**	**	33	12		- 31	- 4		

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TABLE E S. FEDERAL PRODUCTION SYSTEM
PRODUCTIONERS THE COMPLETED SUPERVISION BY DUSTRICT AND LINETS OF THEM OF SUPERVISION
DURING THE THELVE WORTH PERSON SHOED AND 30, 1862 (EXCLUSES RESISTATIONERS AND TRANSPORTS)

		1-12 00074			13-24 MMTH		29	2	-	27	-	700	911		-	
DISTRICT	TOTAL	787	25	100	***	2	100	191	5	***	***	25	-	197	=	100
101w	121	82	80	32	218	98	62	219	121	94	20	***	-	20	-	_
	75 86 51 24 66 67 23	21 00 10 10 10		12 2	18 20 12 8 6 6 12	11 12 12 12 12 12 12 12 12 12 12 12 12 1	27	40 20 20 20 20 20 20 20 20 20 20 20 20 20	20 10 10 10 10 10 10 10 10 10 10 10 10 10	10 14 20 10 10 21	*****	3		3.00.20	13	
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*******	-	22.4	21.5	- 882	197	
	: III.			-		
*****	707	37.4	- 24	-	- 110	11.1
	227			16134	-	
	171 81 81 81 181 81 81 81 81 81 81 81 81 8	11.1 12.1 13.1 13.1 13.1 13.1 14.1 14.1 14.1 14		Bitribage 5	-	
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			# 4 # 4 # 5 # 5 # 5 # 5 # 6 # 7			

5/2

CHROST -	-	T	E	-		
-	720	2.4	24.5	877	181	21.0
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£78	140	21.4		-	174	
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10th	- 120	M.1	m.7	784	352	-
	-			2000		
1170	- 829	27.4		- 811	218	_
	- siffraf		H.1	111111111111111111111111111111111111111		

Table 6.7. FRENCH PROPERTY OF STREET, PROPERTY OF STREET, AND VIOLATION SHEET, AND VIOLATION SHEET, AND VIOLATION SHEET, AND THE PROPERTY OF STREET, AND VIOLATION SHEET, AND VIO

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THE P SPINISH	-	-	=	-	-	-	-	-	rea- cent	19744	2
1914L	25,000	23,794	12.3	8,119	12.7	2.181	19.5	201	1.4	1,842	
PROSECTION U. S. BISTRICT COUNTS	12877	16.217		1,840	15.4	1.218	98.1	198	9.2	***	
PRETRIAL GOVERNORM	1,861	1,000			4.9	-	3.4		0.2	99	0.6
FERRAL PARKET	6.593	4.201	79.3	1,812	29.7	***	18.1	315	9.0	716	99.1
BARGATURY RELEASE	1,790	1,684		200	15.2	188	9.4	157	9.4	**	0.0
MOLITARY PAROLE PAGE MILITARY INSTITUTION	276	200	88.7		9.8		2.1		0.0		8.1
PROSETTOR U.S. GAGTETANTES	8,196	1,455		782	15.2	887	18.1	*	8.6	181	8.6
MOLETANY PAROLE FROM PEDERAL INSTITUTION			100.0		0.0		0.0		0.0		0.4
SPECIAL PARKET TEN	1816	1,212	80.5	295	19.8	188	11.1		1.5	100	

WIDLATION OF THE CONDITIONS OF SUPERVISION OTHER THAN CONVICTION FOR A NEW OFFERSE.

PERMITTION FOR MINER OFFENESS BACK AS DRIVER, DISCHMENT, PETTY THEFT, TRAFFIC VIOLATION, ETC. MINE SENTENCE IS SO BATE OR LESS IMPRISONMENT, OR ONE YEAR OR LESS PROBATION, OR A FIRE.

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U.S. Court of Interestional Trade Specimery of All Custo Filed and Turnshated by Type of Case During Fiscal Years 1981 and 1982

Type of Case	1001	1902	
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Total Cases Piled	1,577	1,000	56
Total Case Terminated	10,300	1,04	-494
Total Cases Panding at Red of Year	61,570	53,500	4,011
Protects Pending at Beginning of Year	1,000	***	450
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Pending at End of Year	1,700	6,837	4,571
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97m	8842	- 112		- 87	1,780			792	1,726	
848	270	300	**		48	94		99	70	
***	798	#1	983		224	79			909	
*18	1,892	198	867	18	676	-	198	198	-	
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97m	14/79	5.628		1848	-	-	
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TABLE D-4 V.S. DOETRICT COURTS PROCEEDINGS AND CASES DISPOSED OF DY V.S. MACIFITALITIES PARAMENT TO TITLE 26 V.S.C. SECTIONS 636(E) AND (C) GARRISE THE TREET MENTS PARAMETERS AND 10, 1002

	 			CATALINA PRO	KEEDING		
CHROUT	CRIMINAL		-	- mr.j	-		
DESTRICT	CIVIL	CRISTAL	COMPRESSOR	(1)(A)	(1)(0)	APPROXICE .	-
107м	8,145	79.1	200	97	14	,	21
CO	2,200	106	100	.;	2	:	
M.M	1,244 296 37	***	i	34	23	:	
or.	***	27	3		=	ï	
	1,236	2	-	'n	-		21
117M	18,924	19,795	1,012	8,710	941	32	
	1,736	762	300	263			
Li	1,631	140	•1		1		
	4.811	1,000	363	1,304		14	
	2,847	1,046	100	0.213	172	12	**
	262	129		72	-		

PROCESSING ASS CASE DESPRECT COUNTY PROCESSING ASS CASE DESPRESS OF ST 6 6 CHARGETTATES PARAMET TO TITLE SO 4 6 C DECTARD SHARE AND (C) ASSESS THE PROCESS OF PARAMETERS AND (A) 1007

	_	CSART	-	-				CZYS	CARRE			600 (G)
DISTRICT	CIVIL CIVIL	METRIAL CONTINUES.	636(B) (1)(A)	****** (1)(8)	erage	TIPTING CIVIL CAMES	ptate	PERSONAL.	CIVIL	BREAK PY	PREIAL BATTER	CARRY
TOTAL	89,274	28,214	\$1,879	4,180	2.810	21.671	1,000	2,112	2,479	4,832	***	14
×	1,188	244	PRO	21	133	21					98	,
187	8,328	1,217	7,804	481	120	***	198	10	200	182		
	271 2.157 1.505 1.539 3.856	110 110 270 234 270	1,777 1,671 1,184 2,344	67 52 67 57	21 3 30 10	**	4	:	9	2 34 40 13	•	
200	9.124	4,844	2,586	992		742	112	- 0	200	200	32	**
	2,767 2,672 2,672 2,166 476 26	1,849 8,196 430 12	744	***	28 3 81 18	200 87 83	79 64 7 23	2	130		27	**
200	8.814	2.181	2.882	717	28	1,830	200	120	945	347	29	,
	4.310 1,660 317 1,160	12	37 323 323	1	17	222 115 631 630	211 211 20	27 27 27	186 63 286 276 173	100 100 70 100	19	:

TABLE OF A V S DISTRICT CRAFTS PROCEEDING AND CASES STOPPORTS OF DV C S. GARLISTMATIS PARAMETER TO TITLE 30 V S C DICTIONS COURS AND (C) GARLING THE THEIR COURTS PRINCIPLE COURS AND 30. 16.V

CIRCUIT			ADCILLINA	_				6171	CARRE		- 1	620 (C)
	191M					1914L	-	Little				
BOSTROCT	CIVIL GAFTERS	CHIPTON AND AND AND AND AND AND AND AND AND AN	(1)(A)	(1)(0)	-	CHASE	-	-	CIVIL MIGHTS	BRESAL BROWNETY	-	CARRY
47m	1819	749	1,810	290	101	1.785	940	122	1,874			
•	212		70	26	33	300 333 421	20		129	110		
E.S.		186	813	140		333		15	210	100		1
E8	430	188	201	28	30	421	163	27	210	26	9	1
					*	918	-	23		*		
	-		274		12	***		-	140	205		
	129	-	-			-	139		174	21		14
	750				-	***			122	334	- 1	
-	267		196				7		7	76	1	,
97w	17.361	4,314	11,001		192	1.785	1,545	294	1,386	419	116	
AS	8.501	2,447	3.810		**	***	224	14	175			
	818	249	485	194		146	294			3	-	
	1,600	100	1,000		24	981	276 37	34	188	160	9.9	
	1.100	100	1,870	24	-	199	37		117			1
	4,500		1,842	- 22	- 2	100				-	26	92
2.0	1 22	-	***	- 23	- 3	***	342		118	**		
2.5	1,000	-	***	- 1	- 2			- 51	-12	22		
	1,488	**	1,011			200	-	**	94	52	- 1	
67H	1,816	1,882	5,282	# 11	*10	4,111	963	366	1,217	1,424	201	
**	1,667		1,279	76	10	***	27	100.0	87	***	25	
**	916		487		40	223 724	-	- 22	76	123	- 2	
1.6	1,611	291	120	145		734	**	24	188		25	,
1.0	730		794		23	***	67	10	314	320	-	
	2.002	171	1,206	185	100	+00	100	30		195	9	
	772	191	200		150	***	246	**	300	200	75	9
	700	363	340	••	*	100	21		36	74		13
	89	127	- 22		-	130	-			117		

		CIANT	7830	-				CZYS	CHARGE			90CT (S)
CIRCUIT	1950					1954	- 10	Lucia				- SER (E)
BERTRICT	CITIL	-	(1)(0)	(1)(0)	~	CONTL	-	-	CTVSL RIGHTS	MEIAL MODRITY	PORTIAL BASTON	=
P94	1200	4,841	4214	236	347	979	719	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		73		- 12
•	1,000	1,370	872 873	100	**	76		:	:		21	
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ets	1411	1,879	LHI		212	1,214	_200	292	967	252		
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			70		3	12		:			-	
		97	100		177	170			- 17		i	
		-	-	7		":	**		130	**	:	7
etw	1821	1,611	4,857	1400	181	1,820	817		101			
	110	30	*	21	3	.20	4	22	. 10			-
	750	2		100	***	199	1		-		21	•
	719	-	111	1	*	***	***	***	***	***		3
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TABLE DI-A U. S. BOSTNICT CREATS PROCESSIONS AND CARROS SIGNASSO OF SY U. S. CARROS AND (C) AND MATERIAL TO TITLE SO U. S. C. SECTIONS ASSISTE AND (C) AND THE TRULY CREATS PRICED AND AND IN., 1982

		CIVIL	-	-				CIVI	-			SECTION (C)
COMMUT BISTRICT	TOTAL CEVIL CATTOR	CONTRACTO CONTRACTO	(1)(A)	***(*) (*)(*)	grage	TOTAL CIVIL CASE	-	PROGRAM.	CEVEL	-	PREIA BAPTE	-
1014	9,800	3,477	2,764	786	674		230	130	628			
	1,840 1,843 1,623 277	793	1	2	31	304 46 161 18	47 13 76	10	127 21 67 2	;		
	***	917		12	212 100	284 180 18	7	7	119	1		
117m	5.100	***	3.762	100	180	3,944	1,834	209	1,400	299	29	
	1,130 1,130 1,012 1,012 1,012 1,012 1,012 1,012 1,012 1,012 1,012 1,012 1,012 1,012 1,012 1,012 1,013 1,014		136 915 1884 481 714	304 40 11 21 21	77		917 43 134 217 166 166	**	214 184 189 171 210 194 278	33 33 33 33 33 33	9	

PARENT LAW PROCESSION CHARACTER OF U.S. INSCIPLLING PARENT TO TITLE SEV. S. C. RECTURE SERVED, AND SC. RADING THE THILLY MADE PROCESS COMM. AND SC. 1982

	Ь,	-	es (SHCT)	-	193 (83)		1985	PRICIAL BAR TERM CONCE	CHI)		TRATE (80)	THE CASE	E
CINGIT				- All	BERTH.	-						AFTER	
	191AL	-	CIVIL	STATE MARKAGE	-	COVOL.	-	-	11107	-	-	-	2
01ML	2429	179	***	322	154	***	***	234	332	2.452	1,827	282	
c	10		11				11		2	216	14	12	- 23
187	211	- 11	79	94							-	-	
		10	18 9 87	**	:		•	•	2	•	:	:	
200	149	24	- 11		- 1		32	19	19	194	162		96
	9.00		**		:	•	3 27		9 21	919	149	:	
	*	1	•	1	-	30	19	13	•	10 10		;	

TABLE 0-6 U.S. DISTRICT CRAFTS EVERSHIP PROCESSINGS COMMITTED BY U.S. BARRETHATES PARAMETER TO TITLE SO U.S. C. BOCTION SOURCE AND SCI. BARRES THE TRILL SO U.S. C. BOCTION SOURCE AND SCI. PARAMETER THE TRILL SOURCE PROCESS COMMITTED AND SCI. BARRES THE TRILL SOURCE PROCESS COMMITTED AND SCI. BARRES THE TRILL SOURCE S

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G.S. Statement Chapter
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Table 9-4
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Service of Visiting Judgers

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Sade V-0 G.A. District Charts Service of Victoria Judges Daving the Torsion States Jugan 30, 150

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Table 7-4 E.S. Courts of Agency's Service of Valling Judges Paring the Tracker March Ferral Ended June 28, 1987

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Table V-6 U.S. Courts of Appeals Service of Valling Judges During the Twelve Month Period Ended June 30, 1962 (continued)

	forming		
Visiting Judges by Circuit Visited	Total Number of Visiting Judges and Assigned Court	Days of Service	Cases
let Chesit	Visiting Judges, 14	43	216
			22
	Chims		17
	A		"
			25
Timber, W.H. (S.)	Ind Circuit	1 1	11
Van Dunen, F.L. (SJ)	3rd Circuit		29
Reserve, M. (\$2)	Jed Circuit	4	19
	Oth Circuit		18
	To Chait		16
	In Circuit	3	16
	ST, 8		13
Nurrey, F.J. (52)	MA	,	11
Ind Circuit	Visiting Judges, 34	117	542
Pierre L.W	NT.S	31	
Brinton, W.W.		-	-4
Daly, T.J	G	1 1	14
Sand, L.D	MY. P		24
	MT, E		23
Cabranes, J.A	CT		21
Heiden, J.S	VT		19
Markey, H.T	Cust. & Pat. Appeals		17
Mard, Rd	HY, S		17
	FT, 5		16
	Caims		- 15
	FT.3		15
	cf		14
Level, P.H		1 1	14
	HY, 8	1	
Grices, T.P	NY. 5	1	
Curtin, J.T	NY. W	2	
Coffrin, A.W	VT	1	7
Pollock, M	MY, 8	1	
	HY, 5	1	1
Micherson, E.H	NY, E	1	1

Table V-0 U.S. Courts of Appends Service of Visiting Autors During the Treatm States States May 16, 1802 (constituted)

Visiting Judges by Circuit Visited	Total Hunter of Visiting Judges and Assigned Court	7	-
Ind Check (cost.)			+
Vete, 1.7		1	1
Dontould, L.(S.D	. PA, W		29
Notanor, C.M. (S.)	. NY, S		28
Barnel, D.B. (52)	. HT.S		26
Firmmind, M.J. (SJ)	. CT		13
Bertels, J.E. (S.)			16
Tenney, C.H.(\$3)			15
Palmieri, E.L. (SJ)		•	15
Minter, J. (12)			34
Marphy, T.J. (SJ)			11
Comella, J.H. (S.)	. HY, S		
	. FT,5		
Ind Chrait	. Visiting Judges, 17		316
Gerry, 1.J	. W		34
Storn, RJ			28
Ne, E.D	. International Trade		27
Polisk, L.H	. PA. I	3	19
Mr. N	. PA. W	1	19
Therease, A.L	. W	1	10
Pellam, J.J	. PA, E	1	18
Stapleton, W.E		1	18
Conster, R.P		1	17
	. W	1	17
Lotey, F.D			
Actornos, H.A	. W	3	16
VenArteleim, D.A.	PA.E	;	16
Actornas, H.A. VanArtadales, D.A.	PA, E	1	16
Actormon, H.A. VanArtodolon, D.A. McCune, B.F. Weiner, C.R.	. PA, E		16
Ackerman, H.A. VanArbelsinn, D.A. McCune, B.P. Weiner, C.R. Slock, A.H	PA, E		16
Actormon, H.A. VanArtadolom, D.A. NeCune, B.P. Weiner, C.R. Blach, A.R. Necune, H.C.	. PA, E	1	16

Table V-4 U.S. Courts of Appeals Service of Visiting Judges During the Twelve Menth Period Ended June 30, 180 (continued)

Visiting Judges by Circuit Visited	Total Number of Visiting Judges and Assigned Court	Days of Service	Cases
40 Chail	Visiting Judges, 8	34	132
Cacheria, J.C. Einer, J.L. Hamilton, C.H. Deumer, E.G. Wilkins, H.W. Michael, J.H.	HC, W	*******	30 16 16 16 16 15 15
5th Chroit	Visiting Judges, 9	24	113
Parker, J.V Gerden, J.M Seer, N.L Veren, E.E Dyer, D.W. (SJ) Spears, A.A. (SJ)	LA, E LA, E LA, E LA, E LA, E LA, V 11th Circuit TX, V		13 11 10 1 1 1 20 19 19
60 Circuit	Visiting Judges, 34	114	661
	ME, E KY, W KY, W TH, W GE, E TH, M GE, E ME, E ME	7 6 6 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3	25 25 21 21 21 20 20 20 20 20 20 10 11 11 11

Table V-2 U.S. Courts of Appeals Service of Visiting Judges During the Twelve Month Period Ended June 38, 1981

	(continued)						
Visiting Judges by Circuit Visited	by Visiting Judges and						
6th Chronit (cont.)							
Seer, E.E. Tuttle, E.P. Melinski, H.J. Roberhah, J.D. Felkens, J. Hillman, D.W. Unthenk, G.W. Albrich, A. White, G.W. Taylor, A.D. Prett, P. Beed, S.E. Bertelsman, W.O. Wilson, F.W. Spiegel, S.A. Gordon, J.F. (SJ) Dumbers, W.H. (SJ) Timbers, W.H. (SJ) Cowen, W. (SJ)	. 11 th Circuit . Oil, 11 . Oil, 21 . Oil, 2 . Mil, 2 . Mil, 3 . Mil, 2 . Mil, 3 . Mil, 2 . Mil, 3 . Mil, 4 . Mil, 5 . Mil, 5 . Mil, 6 . Mil, 7 . Mil, 8 . Mil, 8 . Mil, 8 . Mil, 9 . M	***************************************	16 16 15 15 15 15 15 15 15 15 15 15 15 15 15				
7th Cheeft	. Visiting Judges, 35		530				
Devis, O.H	Cost. & Pot. Appeals Chains IL, S IL, C IL, W IL, C Wi, E IL, H IV, S WI, E Chains IL, C	1	10 10 10 11 11 11 12 12 12 12 13 14 15 16 17 18 18 18 18 18 18 18 18 18 18 18 18 18				

Table V-2 U.S. Courts of Appeals Service of Veliting Judges During the Twelve Nanth Period Ended June 38, 1902 (continued)

	(continued)		
Visiting Judges by Circuit Visited	Total Number of Visiting Judges and Assigned Court	3	=
TO Check (cont.)			
Nears, L.J. (SJ)	UI, II Oth Circuit IS. Cot Ot Oth Circuit VI, V HT, S HD IS. HT, E HT IS. L, II L, II L, II L, II L, II Sth Circuit AL, S Ind Circuit	11 10 5 4 4 4 4 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3	25 29 24 24 29 20 20 20 20 21 21 21 21 21 21 21 21 21 21 21 21 21
On Cheult	Visiting Judges, 27		378
Weeks, H. Markey, H.T. Overten, W.R. Miller, J.R. Bennen, P. Gibsen, J.R. Howers, G. Stevens, J.E. Bartiett, D.B. Almp, D.D. Hangle, J.F. Hungete, W.L. Pilippine, E.L. Device, R.H. (S.J.) Bocker, W.H. (S.J.) Collinson, W.R. (S.J.)	Cust. & Pat. Appeals A R, E Cust. & Pat. Appeals HD HO, E A R, E HO, E	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	23 15 14 14 14 13 11 10 10 2 2 2 41 30 50 50 50 50 50 50 50 50 50 50 50 50 50

Table V-2 U.S. Courts of Appeals Service of Visiting Judges During the Twelve Menth Period Ended June 20, 1982 (continued)

	trestmed		
Visiting Judges by Circuit Visited	Total Number of Visiting Judges and Assigned Court	Days of Service	Cases
Pth Chronit (cont.)			
Harris, G. (SJ) Rapen, J.K. (SJ) Hareen, W.C. (SJ) Fairchild, T.L. (SJ) Histol, F.J. (SJ) Norter, E.B. (SJ) Oliver, J.W. (SJ) Devitt, E.J. (SJ) Van Pelt, R. (SJ)	IA. W	3 4 3 3 3 3 1 1 1	10 10 15 14 12 12 12
Pa Charle	Visiting Judges, 63	227	1,832
Burns, J.M King, S.P Kashiwa, S Price, E.D Takanagi, R.M Biby, R.M Carroll, E.M Kelicher, R.J Fitagersid, J.M Ocrick, W.H Hicken, L.C Letes, M.M Claiterne, H.E Weigel, S.A Quarkenbuch, J.L Byrns, W.M Enright, W.B Tanter, J Thompson, G Muecke, C.A Pfoeiter, M.R Panner, O.M Ingram, W.A Gray, M.P Coppie, W.P Tashima, A.W	OR	***************************************	27 29 29 16 15 15 14 14 11 11 10 10 10 10 10

Table V-4 U.S. Charts of Appeals Service of Visiting Judges During the Trustee Mark Parisal Ended June 36, 1981

Visiting Judges	Total Number of	Days	_
Chronit Visited	Amigned Court	Service	
Pth Chronit (cont.)			
Ven Der Rendt, J.A		!	
Contra, V.A	AE		
A.C		l i	
Potel, M.H	CA, #	i	
Hotfield, P.G		1	1
Henderson, T.Z	CA, #	1	1
Gillion, LJ	CA, 8	1 1	!
Metter, 7J	CA. C		
Milkins, P.C	CA, E		
Pryo, ILJ	OR		
Real M.L	CA. C	l i	
Rickey, M.A	AI	l i	
Letia, LT	CA, C	1	
Potition, LJ	CA,	1	1
heniret, Il	CA, E	1 1	
herdy, C.L	4		
Real, E.C.	OR		
Maria JA			
Larges, D.V.	CA. C	l il	
chourse, V	CA, #	i	
Purrentine, RJ	CA,8	1	1
Me Piehols, R.J	WA, E	1	1
Mark, AA	CA, C	1 1	1
Loop, J.J.	CA, C		
Marshall, C.J	CA, C		
Streets, R.H	CA. I	1 1	
1.6	VA. V	l il	
last, W.G. (\$3)	OR	21	
Creig, W.L. (S.)	AI	10	
	08	13	
American, W.J. (\$1)		!	
Hoffman, W.L. (SJ)	· VA E · · · · · · · · · · · · · · · · · ·		3
Marcellik, J.H. (8.5)	VA. E		
brown, W.L. (S.)			;
		_	_

Table V-4 U.S. Courts of Appeals Service of Visiting Judges During the Twelve Mark Paried Baded June 20, 1901

Visiting Autgoo by Circuit Visited	Total Stantor of Visiting Autym and Antiqued Court	1	Cases Marri
Pth Circuit (cont.)			
Van Peit, B. (S.B. Wholen, F.C. (S.B. Suptom, A.L. (S.B. Smith, R.E. (S.B.) McRichols, R. (S.B.) Cortin, J. W. (S.B.) Creater, M.D. (S.B.)	Tis Circuit Is Circuit DC Circuit Chim IE CA, C CA, C III CA, E ***************************************	13 19 19 17 17 16 18 19 19 19 19 19 19 19 19 19 19 19 19 19	
100 Comit	Visiting Judges, 10	*	194
Cook, R.D	UT UT OK, II ID OK, II Chemit	•	10 10 10 10 10 10 10 10 10 10 10 10 10 1

Table V-4 U.S. Courts of Appeals Service of Visiting Audyes During the Twelve Stanta Period Societ Aure 20, 1981

Visiting Judges by Chronit Visited	Visiting Judges Total Render of Visiting Judges and Cornell Visited Assigned Court		
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	· 10 Comit.	•	19
Marriett, G.J.		•	10
	- In Chesit	•	18
Pieton, V. (3.)	Cart. & Pet. Appeals	•	17
Remark H. (8.8)		•	
Personal F. (0.0)		•	19
bernham J. W. G.A.			10
Pinton J.H. (93)			19
Colders, LL. (SA)	10 0		17
Hoffman, W.E. (S.)	VA 8		17
Allered, C.W. (SA)	AL B		
bett, C.R.(B.)	PL		10
Lene, S.H. (N.)	A4. 0	: 1	12
		•	11

(13) Senior Judge

Cots reflects only service as active judge; service as senior judge is provided separately.

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APPENDEX E PAYMENTS UNDER THE CRIMENAL JUSTICE ACT POR THE PECAL YEAR 1961

TO THE CHAIRMAN AND MEMBERS OF THE JUDICIAL COMPERENCE COMMITTEE TO IMPLEMENT THE CRIMINAL JUSTICE ACT

The following is a report of activities relating to the Criminal Justice Act (C.J.A.) during fiscal year 1981, (fiscal year 1981) which ended on September 30, 1981.

Status of Appropriations

The Congress appropriated \$24,000,000 for "Defender Services" for fiscal year 1981. This amount, together with the unobligated balance carried forward from fiscal year 1980 of approximately \$6,000,000, made a total of \$30,000,000 available for obligations in fiscal year 1981. The current estimate of obligations for fiscal year 1981 is approximately \$2,000,000 to carry forward into fiscal year 1982.

Federal Defender Organizations (FDO)1 \$	14,830,000
C.J.A. Panel Attorneys	10,519,000
Investigative, Expert & Other Services	624,0002
Transcripts	2,000,000
General Administrative Expenses	11,000
Total	27.984.0003

1 The terms Federal Defender Organizations and Federal Defenders, as used in this report, refer to both Pederal Public and Community Defender Organizations.

This amount includes FPD expenses of \$304,000 for investigative, expert, and other services which are not included in the FDO total

above.

3 Excludes a credit of \$58,000 interest earned on Community Defender Organization grant funds.

Representation in Pederal Courts

During fiscal year 1981, approximately 43,500 persons were represented in the United States courts pursuant to the provisions of the C.J.A. This compares with 43,060 appointments in fiscal year 1980, and 43,006 appointments in fiscal year 1979. The number of appointments in fiscal year 1981 was thus 1.0 percent greater than those in fiscal years 1979 and 1980.

The following tables compare appointments of counsel, and the distribution of C.J.A. funds, between panel attorneys and Federal Defenders for fiscal years 1979, 1980, and 1981.

Agrendance and Realing Statesholds by Free! Torr

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Berbales inners repeats from the United States Madieni Conter, Springfield, Missaw's 700 is FY 1970; 100 is FY 1980; and T21 is FY 1981.

The following table reflects the actual number of appellate and district court C.J.A. appointments in fiscal years 1977 through 1980, and their distribution between panel attorneys and Pederal Defenders. Projections for fiscal years 1981 through 1983 are based upon data through November 30, 1981, historical trends, and information from Pederal Defenders and the Executive Office for United States Attorneys.

C.J.A. Appointments, Finns Years 1977 through 1980 and Setimotes for 1961 through 1983

	U.S. C	merts of App	-	U.S. District Courts			
Pheni Year	Panel* Alternays	Defender Offices	Total	Panel* Atterneye	Defender	Total	Grand Toront
Artusis							
	1,314 1,841 1,877 1,791	2	1,500 1,710 1,601 1,501	11,65 11,65 10,66	18,875 19,433 19,647 19,713	0,401 0,401 0,400 0,401	01,000 01,307 01,000 01,000
folimates							
	1,500	***	1,471 1,553 1,760	10,204	21,764 21,530 13,370	01,600 704,50 704,50	9,00

^{*} These figures do not reflect cancellations, mateurs, and termina-

Judiciary caseload statistics for 1991 reflect that during the twelve month period ended June 30, 1981, a total of 31,287 criminal cases were filed — an increase of 8.2 percent from the 1900 level of 29,921. This reversed a three-year declining trend in criminal filings. In 1981, criminal filings increased in every Judicial Circuit except the Tenth and the District of Columbia.

At the close of statistical year 1981, the pending criminal caseload was 15,850 cases, an increase of 7.4 percent over 1980. The substantial increase in criminal fillings combined with a smaller rise in terminations (3.2 percent) resulted in the first increase in pending caseload since 1972.

Statistical year 1981 criminal filings increased in 11 of the 15 major offense catagories. The following table reflects the offense groups which experienced increases or decreases of more than 10 percent in 1981.

Offense	1900	1901	Percent Change
Homicide	141 1,251 1,578 3,130 7,240 25 1,756	1,415 1,415 1,836 2,897 3,416 30 2,121	31.9 13.1 16.3 16.2 20.9 20.9
Burglary	151 361 2,124	125 305 1,810	47.2 49.9 44.8

Penal Atterney Representation - Average Persons to Commit

The following table provides artial average payments to panel attorneys for final years 1977 through 1988, and these estimated for final years 1980 through 1983. These figures include attorney economical and reinstancement of expenses pursuant to subsection (d) of the <u>Oriminal Justice Act</u>, but do not include costs of transcripts, expert and other services (which are provided infra).

Average Payment to Counsel

Fiscal Courts of Year Appeals		District Courts
1977.	911	392
1970	921	365
1979	1,000	444
19001	9792	412
1900 Estimete	1,120	450
1901 Estimate	1,100	470
1982 Ratimate	1,200	520
1963 Estimate	1,300	565

As of Movember 30, 1981.

Since there are a substantial number of outstanding cinims, this figure is expected to increase to the amount projected below when all claims are received and processed.

The estimates for fiscal years 1930 through 1983 are based on the currently authorized compensation rates. It should be noted, however, that legislation has been reintroduced in the 97th Congress which would, if enacted, substantially increase hourly rates of compensation and the statutory maximums.

Average payments to counsel have risen over the years, and, in all probability, will continue to increase due to more complex and protracted litigation, and a greater number of claims for excess compensation being approved by the Chief Judges of the Courts of Appeals. An increase in the reimbursable expenses of attorneys due to inflationary pressures is also a contributing factor.

Average payments to counsel for services rendered in the Courts of Appeals for fiscal year 1981, (based on claims processed as of November 30, 1981) range from \$430 in the Tenth Circuit to \$971 in the Second Circuit. The average for all circuits was \$811.

Payments for District Court representation during the mame period ranged from a low average of \$126 in the District of Arisona to a high average of \$1,853 in the Western District of Missouri. The comparatively low average for the District of Arisona is largely influenced by the 777 material witness representations in fiscal year 1981, which account for more than 61 percent of the district's total appointments. The average payment to counsel for all districts was \$332.

Exhibits A-I and A-2 present, for fiscal years 1900 and 1901, the various categories of persons for whom counsel were provided, tegether with costs relating to such representations. Exhibits B-I and B-2 contain the number and types of appointments made during fiscal years 1900 and 1901 in each circuit and district. Exhibits C-I and C-2 provide details regarding the number of persons represented and the payments made to counsel in each circuit and district during fiscal years 1900 and 1901.

Companyation for Retanded or Complex Representation

The following table reflects the number of cases and the amount of excess compensation payments for each fiscal year since fiscal year 1978. The figures in each column reflect only these claims actually opened and processed during the appropriate fiscal year.

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Between fiscal year 1978 and 1981 excess payments have increased by 93.8 percent in felony cases; 198.1 percent in discretionary matters; and 175.5 percent in expert and other services claims. For the same period, the number of claims have increased by 70.4 percent in felony cases; 257.1 percent in discretionary matters; and 132.7 percent in expert and other services claims.

During fiscal year 1961, 1,346 payments in excess of \$1,000 in felony cases were approved. The largest payment of these amounted to \$61,924 in a securities compiracy case in the Western District of Missouri. The average for all such payments was \$3,257. Exhibit D-1 details, by circuit and district, all approved payments for compensation in excess of \$1,000 for extended or complex felony cases approved during the period October 1, 1900 through September 30, 1981; while Exhibit D-2 summarizes these payments by fiscal year.

Between October 1, 1960 and September 30, 1961, 52 payments in excess of \$400 for extended or complex representation in mindemeanor cases were approved. The largest of these payments was \$3,500 in a "failure to file income tax" case in the Western District of Michigan. The everage for all such payments was \$972. Exhibit E-1 lists the payments for fiscal year 1961, while Exhibit E-2 details these payments by fiscal year.

With regard to payments made for extended or complex discretionary appointments during fiscal year 1981, 521 claims in excess of \$250 were approved. The largest payment was \$4,500 for a habeas corpus petition in the Fourth Circuit Court of Appeals; and the average for all matters was \$767. Exhibit F-1 lists all payments made from October 1, 1980 through September 30, 1981; while Exhibit F-2 summarizes these payments by fiscal year.

Between October 1, 1980 and September 30, 1981, 345 claims for compensation for expert and other services of an unusual character or duration were approved and paid. The largest single payment was \$18,900 for an investigator in the District of Utah; and the average cost per case was \$1,024. Exhibit G-1 lists all such payments by circuit and district for fiscal year 1981; while Exhibit G-2 details these payments by fiscal year.

Transcript, Investigative, Report and Other Services

As of Hovember 30, 1981, a total of \$2,077,580 was paid from the fiscal year 1981 Criminal Justice Act appropriation for transcripts, investigative, and expert and other services. It is estimated that, as later claims attributable to fiscal year 1981 are approved and paid, the total for fiscal year 1981 will amount to \$2,624,600. The following table reflects the cost of providing these services from fiscal year 1978 through fiscal year 1980, and estimates for fiscal year 1981 through fiscal year 1983.

Transcripts, Investigative, Expert and Other Services

Actual	FY 1978	FY 1979	FY 1990
Transcripts		\$1,451,384	\$1,016,955
Investigators	. 109,738	131,401	149,234
Interpreters	. 99,381	95,388	64,431
Psychiatrists	. 165,728	153,597	100,294
Other Experts	119,130	139,532	100,533
Total	\$2,058,426	\$1,971,303	\$2,371,455
Estimate	PY 1981	FY 1902	PY 1963
Transcripts	\$2,000,000	\$3,075,000	12,250,000
Investigators	155,000	157,000	168,000
Interpreters	75,000	100,000	95,000
Psychiatrists	234,000	227,000	257,000
Other Experts	160,000	173,000	188,000
Total	\$2,624,000	\$2,732,000	\$2,958,000

Pederal Defender Organizations

Expansion of the Federal Defender Program continued with the creation of two branch offices. The Federal Defender for the District of Oregon established a branch office at Eugene, and the Federal Defender for the Western District of Missouri set up a temporary branch office in Fort Smith, Arkanas. The Fort Smith office was created to meet the increased and immediate need for Criminal Justice Act representation resulting from the large number of Cuban refugees located at nearby Fort Chaffee, Arkanas, awaiting resettlement. In addition, the Federal Defender for the Central and Southern Districts of Illinois was authorized to provide representation pursuant to the Criminal Justice Act in the Eastern District of Missouri.

Although a final accounting has not yet been completed, the cost of operating the 39 Federal Defender Organizations during fiscal year 1981 is estimated to have been \$15,134,000, \$1,518,000 (9.1 percent) less than the amount authorized. Approximately 80.3 percent of the cost of the operation of the 39 Federal Defender Organizations in fiscal year 1981 was expended for personnel compensation and benefits.

A total of 22,526 cases were opened by Federal Defenders in fiscal year 1981, and 21,250 were closed. The office experiencing the highest volume during this period was the Southern District of California with 3,982 openings and 3,956 closings. This includes 2,982 immigration and petty offense cases opened. Exhibit I reflects the openings, closings, hours expended in court, and pending caseload for the reporting offices for fiscal year 1981.

Based upon original budget and grant mismissions, as a group, Federal Defenders realized 89.9 percent of their projected caselonds. This compares with 84.4 percent and 79.5 percent for fiscal years 1980 and 1979, respectively.

Comparative Curts of Representation by Panel Attorneys, Federal Defenders Organizations

Average compensation to panel attorneys for fiscal year 1981 (district and appeals courts) is expected to reach \$520 per case. This figure does not include the cost of investigative, psychiatric, and other expert services. Such expenditures are expected to add another \$17 per case, thereby raising the average cost of panel attorney representation to \$537. The estimated average cost per case for fiscal year 1990 is \$500 plus \$16 for expert and other services, a total of \$516 per case. The estimated fiscal year 1981 cost represents an increase of \$21 per case or 4.1 percent over fiscal year 1990.

Based on current estimates, Federal Defender costs will average \$681 per case in fiscal year 1981. This figure compares with an average cost of \$628 in fiscal year 1980, an increase of 8.4 percent.

The difference in cost per case between panel attorneys and Federal Defenders is principally attributable to the fact that while the hourly rate maximums for panel attorney compensation have not changed since 1978, the compensation for Federal employees has been adjusted almost every year to reflect the "cost of living" increases, and, as noted above, more than 80 percent of the cost of the Federal Defender Program is for personnel compensation and benefits.

It should be noted, however, that in spite of the lack of any increase in the statutory rates of compensation, the average cost percese for panel attorney representations had increased by almost 100 percent over the past ten years. This increase reflects not only a larger number of extended and complex cases resulting in more claims for excess compensation, but also the inflationary impact on the cost of expert services other than counsel under subsection (e).



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PR 81470	101 - 6400 1-0104 Intilieria 11 - 6104 10 - 6104		
-	INT - COMMOLLED SUBSTANCES		

BENEFIT D-I

A 14 11-40 Statement Commit In Statement of the Committee Committe

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EXEMPT D4

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EXPERT P4

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PAYONS AND 18 PRIVATE COPYSIL IN CACASI OF THE 11.000 STATUTEST AND MAJOR

C1+CH17+151+1C1				
		-		1.795.00
	MA SHOWS - CHARLES MANAGES	=		1.000.00
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	LABCTOT and THEFT - TRANSP STALES POR	=		1.050.00
	E- 100411	=		2,000.00
	PROSERT & COMPEST - COUNTRAFEST INC.	=		1.000.00
	MAN MAINTS - COMMITTED PROFINCES	=		
	BIR BAIRNS - COMODULED SIZESIMESS	=		1.000.00
	SETESTION AND BACKETTS	=		1.000.00
	AND ROLLEY	=		7.000.00
	MAR DELLERE - CONTROLLED SHOULD SHOULD			7-000-00
	CETTON 100 COD BACKETS	=		7.500.00
	MAR MATERIA - CONTROLLED SANDARES	=		7.557.10
	DE PRINTS - COURSELED SESSENCES	=		
	Me statute - etes			7.625.00
	MIS Bellett - Chatedries Inditionall	=		7.990.00
	Be Printes - Chatebelle Sentiment	7		
	LABCEOT and THEFT - JUTEBSTATE COMMINGS			3.117.00
	PLD STATUTE - BEARS	75		
	FFO STATUTE - STATE	-		3.450.00
	BOR OFFICERS - CONTRACTO SANSTARCES	=		3.500.00
	SOUR SPREASES - CONTROLLED SINGS MICES	-		3,500.00
	64 F30 T104 440 84C84F5	-		
	MB STATUTE - DEME	=		3.500.00
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		-		1.152.00
	1 35 Cases 1		-	W.P.1.15
-	DE PROUI - STIME	-		1.079.00
	PIG PRINTS - MEIGHAN	-		1.100.00
	PR 440 - DE 440	-		1.750.00
	MIS DEFENTS - MATERIAL	=		1.300.00
	SAME ADSMITT	=		1.796.00
	DENS DEFENSES - MACRITICS			1.352.40
	MILE OFFICES - CONTROLLED SUBSTANCES	-		1,400.00
				1,400.00
	DESCRIPTIONS - MARINIANA	-		1.450.00
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	PED STATUTE - BTIME			1,050,00
	MIK WITHELL - MATERIAL			1.050.00
	MIG MAINTS - AND INCOME.			1.750.00
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	MUL DEFERSES - MATERIALISM			2.199.44
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	1 17 Calls 1		-	27.556.77
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EXPERT OF

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	es - courselles sustances	•	1.750.00
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10 CHR 1 FEB 44	TACATYL.		3.124.00
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41 100 110m 44	A PACKETS	=	0.054.00
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mus mercu	5 - COUTON LED SHOSTANCES	==	7,900.41
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EXHIBIT DI

Fridate name to Personal Carrier In ESCESS of tel 61,000 Statutory nations against acress L. 1900 Tubbes Mariamen So, 1901

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Ex 19011 (m		-	0.463.46
	(H GSS)	1974.	100.101.61
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	MI - MILWAM	=	1.370.00
	MI - MINN	-	1.770.00
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	1403	=	1,455.00
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PR 440 - 97			1.100.00
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mus or re-	NI - CONTROLLED SUBSTAN	45 79	1.079.00
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	5 - Blufe	=	7.407.00
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22 EU	At - COMMETTED BROTTON	185 01	1.237.00
			7.376.33
-	HE - CONTROLLED SUBSTAN		7.450.00
	HI - MACPIES	01	7.450.00

EXHIBIT D-I

FATELATS HADE TO PRIVATE CAPMEL IN EXCESS AF THE 61,000 STATUTELY MAXIMUM BURIOUS ECHOIC L. 1000 THERES MATTERINE SO. 1901

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		•	2 Cases			-	2.477.50
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EXHIBIT DI

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-	MANOT L CATAL	II - COUNTERFEIT ING	=		1.274.00
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DESCRIPTION OF

P To 11.000 State of Chicago Contra

CHOMA	MICT	104 P GH	**		-
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	met Oriests	- 4444	*		1,475.00
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	ted mater	-	2.577.60
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	mes Drests . (belebite tebtfett)	-	1.754.00
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	(CASES)		701m. PP,454.50
-	COLUMN STATES	-	
	COMPTION AND PARTY	=	1.221.00
	BE BHOM! - GAMIN MINER!	-	1.329.00
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	PART - PROTE AND SING	-	1.330.00
	FRANC - PASSAL AND USBS	-	1,407,30
	MB STATIST - DIGE	-	1.500.00
	ME OFFICE - WICEFEE		1.526.00
	MA PRESS - ASSESSED		1.547.50

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			I	
			-	N.884.64
		1 70 CARS 1	-	273,000.00

EXHIBIT D-I

PATTENTS MADE TO PRIVATE COUNSEL IN ERCESS OF THE \$1,000 STATUTOR MAXIMUM DURING OCTOBER 1, 1980 THROUGH SEPTEMBER 30, 1981

CIRCUIT/DISTR	ICI TIPE OF CASE	FT	AMOUNT PAID
MINTH CINCUIT			
ALASEA	FRAUD - POSTAL AND WIRE		1.090.50
	DRUG OFFENSES - CONTROLLED SUBSTANCES		1.412.50
	SEL OFFERSES - LAPE		1.622.50
	DRUS DEFENSES - CONTROLLED SUBSTANCES		1.635.00
	DRUG OFFENSES - CONTROLLED SUBSTANCES	.1	2.017.00
	CRUE OFFENSES - CONTROLLED SUBSTANCES	80	2.150.00
	DEUS DEFENSES - CONTROLLED SUBSTANCES	79	3,115.00
	CAMBLING AND LOTTERY		3,137,50
	OTHER MISCELLAME DUS	===	3,510.00
		•	4.547.50
	OTHER HISCELLANEOUS	••	•
	(10 CASES)		101AL 20.227.50
4612044	IMMIGRATION LAWS		1.099.00
	IMMIGRATION LAWS		1.177.50
	DRUG DEFENSES - CONTROLLED SUBSTANCES		1.740.00
	CRUE OFFERSES - CONTROLLED SUBSTANCES		1.207.00
	MI DIFERSES - RAPE		1.274.00
	SAME ROOM BY		1.290.00
	IMMICRATION LAWS		1.300.00
	PER STATUTE - AGRICULTURE		1,450.00
	PED STATUTE - AGRICULTURE		1.445.00
	IMPIGRATION LAWS		1.552.50
	FED STATUTE - DIME		1.555.00
	FED STATES - DIMER		1.550.00
	PED STATUTE - OTHER		1.702.32
	SAME ROBBERT		1.079.00
	MI OFFICES - RAPE		1.975.00
	PORCERY & CHIEFELT - TRANS FORS ME		2.000.50
	IMMIGRATIDA LANS		2.123.00
	IMMIGRATION LAWS		2.547.00
	MO STATUTE - OTHER	-0	2.554.00
	DRUG DEFENSES . CONTROLLED SUBSTANCES		2.004.00
	FRAUD - POSTAL AND VIRE		2.074.00
	PED STATUTE - DIME	31	1,122.20
	DOUG OFFERSES - CONTROLLED SUBSTANCES		4.547.00
			4.324.00
	DRUG OFFENSES - CONTROLLED SUBSTANCES		8,730.00
	FRAID - POSTAL AND WIRE	==	9,344.00
	ME APONS	-	10.101.00
	FEADO - DIMER	78	10.433.00
	(20 Cases)		1014L 13.301.60
CALIFORNIA C	DAME SOURCET	-1	1.020.00
	FED STATUTE - GIMES		1,030.00
	LARCENT AND THEFT - TRANSP STOLEN PAGE		1.017.00
	POSTAL BURGLARY	-1	1.075.00
			1,110,00
	AS SAUL I		1.110.00

EXHIBIT D-1

PAYMENTS MADE TO PRIVATE COUNSEL IN EXCESS OF THE 61,000 STATUTORY MAXIMUM DURING SCHOOL 1, 1900 THEOLEM SEPTEMBER 30, 1901

C14CW11/01516	1997 05 03 50	FT	
	POMERNY & CHIRPEST - COUNTERPEST ING		1.130.00
	(SCAPE		1.180.00
	DRUG OFFENSES - MARCOTICS		1,198.00
	MAKE ROSSERY		1.223.00
	FRAID - DIME	80	1.233.00
	FRAUD - POSTAL AND WIRE		1.270.00
	EXTORTION AND RACKETS		1.277.00
	FED STATUTE - OTHER		1.205.00
	FRAUS - POSTAL AND WISE		1.292.00
	SAME ROSSIET	83	1.315.00
	PORCERY & CHIEFELT - POSTAL FOILERY	80	1.315.00
	FRAUD - POSTAL AND WIRE	***	1.322.00
	SAME ROSSERT		1.334.00
	DEUG DPFEESES - MACETICS		1.345.00
	DRUG OFFERSES - CONTROLLED SUBSTANCES	•1	1.392.50
	LARCENT AND THEFT - POSTAL	.1	1.395.00
	Indiated of - Diets		1.410.00
	DEUE DEFENSES - CONTROLLED SUBSTANCES		1.420.00
	FRAUD - POSTAL AND WIRE		1,437.50
			1.439.60
	LANCENT AND IMEFT - POSTAL	**	1,445.00
			1.455.00
	ALM BODGE CY		1.520.00
	PRAGO - POSTAL AND WIRE		1,530.00
	DRUG OFFERSES - CONTROLLED SUBSTANCES	•1	1,550.00
	MD STATUTE - OTHER	• 1	1,593.00
	MANUE POPPLEY	• 1	1.405.00
	BANK ROSSEST		1,440.00
	SAME POSSEST		1.475.00
	M INI AT		1.775.00
	FRANG - POSTAL AND WIRE	*0	1.777.00
	FORCERT & COTOFFELT - COUNTERFELT INC		1.870.00
	ISCAPI	• 1	1.879.00
	ASSAULT		1.912.00
	BANE RODGERY		1.927.50
	PORCERT & CHISPETT - DINER PORCERY	•	1.934.50
	PED STATUTE - OTHER	**	2.023.34
	al apout		2.031.94
	FED STATUTE - DIME	**	2.005.03
	IMMIGRATION LANS	•	2.115.00
	SAME ROBOLET	i i	
		70	2.115.00
	PRAUS - POSTAL AND WIRE BAME BORBLEY	**	2.105.00
			7.188.00
	MURDER. IST DECREE	***	2.191.60
	PRAUS - POSTAL AND WIRE	**	2.205.00
	SAME MODALET		2.365.00
	FRAUD - LEVOISE INSTITUTION	•1	2.409.00
	FRAUD - POSTAL AND WIRE	•1	7.430.00
	LARCENT AND INIFI - BANK		2.472.00
	PORSERY & CHIEFELT - COUNTERFELLING	•1	2.432.00
	DEUG DFFERSES - MATHUANA FED STATUTE - DIMER	**	2.097.00
			2.714.00

EXHIBIT CA

PATRENTS MANE TO PRIVATE COUNSEL IN EXCESS SP THE 51,000 STATUTORY GAZING BURIOG OCTIONS 1, 1900 THEOLES SEPTEMBER 30, 1901

CHWITAISI	1318	1997 DP CASE	**	
	-			2.700.00
		WSES - CONTROLLED SHEST MICES		2.000.00
		## - DIME		2.873.00
	-	USES - MACOTICS	-	2.090.00
	M	144		2.919.00
	-	ST MEAST		2,992,50
		OSTAL AND MINE		3,003.00
				3.090.00
	DRUG DIFFE	USES - CONTROLLED SUBSTANCES		3,167,50
	FR 400 - 1	STEE DA MIZZO	-	3.176.00
	PER STATE	ET - 01-41	•1	3,209,00
		ST W. GE	-	3.220.00
		WEST AND WITH		3.290.00
		Cattefeit - Countente if jes	-	3,341,00
				3,935.00
		11 M CO 12		1,092.50
		ST MUSE		4.372.00
		ST W4 (1	==	1,110,00
		ST 01461	**	1,110.00
		ST WALL	==	4.542.50
		SI GAR	=	1.011.00
		AL - 0141	7	4.439.00
		1014 AL MIZE	**	4,500.00
	-		=	4.152.50
		WEST - CONTROLLED SUBSTANCES		7.292.50
				7,994.00
		ST WORL	=	0.071.00
	45 Seus T		=	0.200.00
		ST M466	===	10.790.00
			===	13.113.00
	-	I AND BACKETS	==	13,444.00
		(es cases)		10144 213.594.15
-	Mws - 1	0514, 440 UIN	•	1,035.00
		A1 - 01-44	-	1.000.00
	-		-	1.057.50
	-	WSES - CONTROLLED SUBSTANCES		1,005.00
	-	DT LAWS	79	1.140.00
	-	eses - courso, Leo sue stauces		1.204.00
	BARK RODE	441		1.310.00
	IMMIGRATI	DW LAWS		1.422.90
	PER STATE	AT - DT #4		1.400.00
		WEES - MARCOTICS		1.530.00
		447	•	1.052.50
	BANK ROSE	444	-1	1.090.00
	-	CHIEFELT - COUNTERFE IT INC	79	1.050.00
	-	WSES - CONTROLLED SUBSTANCES		1,900.50
	-	WSES - CONTROLLED SUBSTANCES		1.935.00
	DE COM	WEES - CONTROLLED SUBSTANCES		1.995.00

EXHIBIT D-I

PAYMENTS MADE TO PROVATE COUNSEL IN EXCESS OF THE SILCOD STATUTORY MAXIMUM DURING SCHOOL I. 1900 THEBUGH SEPTEMBER 30, 1901

CHCW11/0151	aici ter	OF CASE	**	440uHT PAID
			•1	1.900.00
	DRUG DEFENSES - C	DETERMILED SUBSTANCES	.1	2.065.00
		BUTBOLLED SUBSTANCES		2.005.00
	EIDALPPIS			2.005.00
		DWTMDLLES SUBSTANCES	83	2.100.00
	B4 00 B5006 FT		79	2.390.00
			80	4,489.00
	DOME OFFICE - C	DATEDLIED SUBSTANCES	***	0.020.00
		DWINGLARD SUBSTANCES	P0	4.395.00
		Detection Substances		9.787.50
				13.327.00
	DRUG DFFENSES - C	DATEGLED SUBSTANCES	**	14.710.00
	•	28 CASES 1	10144	92,750.90
CAL 1500014 B	-			3.070.00
	Constitution of the consti	DALED SOUTHWEEL	• • • • • • • • • • • • • • • • • • • •	1,101.00
		Defabilito Substances	. i	1.140.00
	LARCENT AND THEFT			1.284.00
		DETERLIFE SUBSTANCES		1.320.00
		- juliostatt Cammett		1.357.00
	FRAND - DI HER		• • • • • • • • • • • • • • • • • • • •	1.377.50
	FED STATUTE - DIR		74	1.362.00
	EXTONTION AND BAC			1.420.00
	MO STATUTE - DIE			
	FED STATUTE - DIA			1.440.00
			==	1.542.50
	FED STATUTE - DIM			1.345.00
			==	1.656.00
	MO STATUTE - DIN	DATEDLLED SUBSTANCES		1.953.00
			**	1.997.50
	me mariera - c	DALLED SIGNIANCES	*0	2.225.00
			e3	2.453.00
	EXTENTION 440 840			2.937.50
			7*	3.022.50
		7 - POSTAL FOILERT	•1	3.770.00
			**	4.450.00
	DRUG OFFERSES - A		**	5.221.00
	EX1047104 440 RAC		**	4.455.00
	EXTENTION 440 440			11.055.00
	ERIBRITION AND RAC		8 0	12.440.00
	FRAUD - POSTAL AM			14.752.50
	ER100110- 4-0 RAC	RETS	**	30,509.33
				31.417.50
	CHIDETION AND MAC		79	12.000.00
	FEB STATUTE - DIM			17.425.60
	EXTORTION AND MAC		79	34.063.00
	EXTORTION AND BAC		7*	34.251.50
	EXTERTION AND RAC		7*	37.505.60
	(A 100 110m AND AAC	1675	79	37.733.00
	FED STATUTE - DIA	•	•1	30.676.70
		iers	79	45.905.50

EXHIBIT D-1

PATRENTS MADE TO PRIVATE COUNSEL IN EXCESS OF THE 61,000 STATUTORY MAXIMUM QUEING GCTOSER 1, 1980 THERMON SEPTEMBER 30, 1981

CIOCUIT/DISTOI	C1	TIPE OF CASE	F1	ANDUNT PAID
	-	BACRETTS		44.331.00
ě	11001104 AMD	BACKETS	79	\$1.325.00
	ATDRT104 4-0		79	\$3.100.32
	11001104 AMD		79	13.422.00
	1100110m 4m0		79	55.521.20
		41 CASES)	101	14. 704.419.05
				1.107.00
			**	1.107.50
			76	
		MFT - U.S. PROPERTY		1.167.50
		- CONTROLLED SUBSTANCES		1.202.50
			•1	1.220.00
			. ?*	1.225.00
		- CONTROLLED SUBSTANCES		1.267.50
		- CONTROLLED SUBSTANCES		1.267.50
	ED STATUTE -	014	**	1.275.00
	AME ADDRESS			1.295.00
		- CONTROLLED SUBSTANCES		1.295.00
		- CONTROLLED SUBSTANCES		1.312.50
		FEIT - DINER FORGERT	29	1.376.00
	O STATUTE -		•1	1.395.00
		- CONTROLLED SUBSTANCES		1.422.50
				1.442.50
	tue orreases		79	1.445.00
		- CONTROLLED SUBSTANCES		1.452.50
		- CONTROLLED SUBSTANCES		1.525.00
	tus offenses		*1	1.547.50
	O STATUTE -	0144		1.575.00
	THE - DIMER			1.592.50
		- CONTROLLED SUBSTANCES		1.007.50
		- CONTROLLED SUBSTANCES		1.410.00
		- CONTROLLED SUBSTANCES		1.012.50
	DE DEFENSES	- CONTROLLED SUBSTANCES		1.455.00
				1.002.50
	IUG OFFERSES	- CONTROLLED SUBSTANCES		1.005.00
	MAICRATIDA LA	w\$	76	1.922.50
		- CONTROLLED SUBSTANCES		1.730.00
	M Dresses	- CONTROLLED SUBSTANCES		1.937.50
	AME ROADERT			2.090.00
	IN DEFENSES	- CONTROLLED SUBSTANCES		2.095.00
	DE DEFENSES	- CONTROLLED SUBSTANCES		2.120.00
	1400 - POSTAL	THE RISE		2.165.00
	MINO - POSTAL			7.145.00
				2.245.00
	IN OFFERSES	- CONTROLLED SUBSTANCES		2.267.50
		- CONTROLLED SUBSTANCES		2.297.50
				4.315.00
		- CONTROLLED SUBSTANCES		2.505.00
		- CRUTTOLLED SUBSTANCES		2.410.00
		- CONTROLLED SUBSTANCES		2.745.00
-				

PAYMENTS MADE TO PRIVATE COUNSEL IN EXCESS OF THE 61,000 STATUTORY MAXIMUM SURING OCTOBER 1, 1960 THERMEN SEPTEMBER 30, 1961

CIRCUIT	MISIMICI	TIPE OF CASE	Ff		AROUNT PA10
	-	FT - TRANSP STOLEN PROF	79		2.972.50
	DEUG DEFENSES -				3.025.00
	IMMIGRATION LAW				3.135.00
	EXTRETION 440 4				3,537.50
	ASSAULT				3.545.00
		COMPOSITION SUBSTANCES			3.092.50
	IMMICRATION LAW				3.710.00
	Ex 100 Tion 440 8				4.255.00
	MADER. IST DEG	461			4.942.50
	DRUG DFFEESES -	CONTROLLED SUBSTANCES	.1		3.017.50
	IMMIGRATION LAW	5			3.073.00
	12 MG - 01 MER		-1		0.052.50
	•	55 CASES 1		TOTAL	123.223.50
-	ING RESERVE		80		1,130.00
	MO STATUTE - 0				1.015.00
		COMPROLLED SUBSTANCES			1.020.00
	mus orresses -				1.071.04,
		CONTROLLED SUBSTANCES	**		1.291.00
	FR.840 - DT HER		"		1.362.40
			90		1.023.00
	FRAUD - 01-168		70		2,035.00
	FRAUS - INCOME		**		3.275.00
	E1108110m AND &		77		4.101.00
	-	ACRETS			4.323.00
	-		••		
	•	12 CASES)		FOTAL	24,472.20
104-0	-	FT - DTHER - MISO	•1		1,471.00
	FEMIL - DIREC		80		1.625.00
	FR.800 - POSTAL				5,390.00
	•	3 CASES 3		POTAL	0,174.00
MONT AND	W1 DF145F5 -				1.235.00
	WORLD IST DEC		80		1.045.00
		101314DH 14181104			1.715.00
	•	S CASES S		POTAL	*.595.00
-			**		1.078.00
			==		1.194.00
			-		1.332.00
			===		1.509.00
					1.437.00
	- 244 -	CONTROLLED SUBSTANCES			1.850.00
		CONTROLLED SUBSTANCES			2.100.00

EXHIBIT D-1

PATRICIS HADE TO PRIVATE COUNSEL IN EXCESS OF THE 51.000 STATUTORY MAXIMUM DURING OCTIOGR 1. 1900 THROUGH SEPTEMBER 30. 1901

C10CULT/0157	e1C1	1194 # Case	**	440W1 PAID
	-	S - CONTROLLED SUBSTANCES	-1	2.315.00
	PED STATUTE			2.553.00
	PED STATUTE			3.090.00
	FED STATUTE		76	
		1 12 CASES)		191M M-530-40
001100	Man - 914			1.250.00
	PED STATUTE		79	1.297.00
				1.305.50
		S - CONTROLLED SUBSTANCES		1,439.00
	PED STATUTE			1,441.00
		S - CONTROLLED SUBSTANCES		1,450.00
	-			1.500.90
		S - CONTROLLED SUBSTANCES		1.702.50
		I - Committee measurers		1.703.00
				1.070.32
	ME 80886 47		•1	1.000.00
	d POS		-	2.015.00
		S - CONTROLLED SUBSTANCES		2.240.00
	d P Int	Chairman in inchiance	80	2.397.50
	PE MID - POST		-	2.511.50
	PED STATUTE		-0	7.520.00
			77	2.750.00
	FR.440 - POST		**	7.423.00
		S - CONTROLLED SUBSTANCES		7.000.30
		S - CONTROLLED SUBSTANCES		2.99.00
	M APONS		79	3.067.00
	FR.440 - POST			4.410.40
	# POST		**	7,900.00
		1 23 CASES 1		TOTAL 55.750.12
				1.117.00
ministring (FR.MUT - POST		=	1,541.00
	FR.WB - POST		-	1.772.50
		- CONTROLLED SUBSTANCES	-	2.320.50
	FEB STATUTE	- 01-4	-	2.332.50
	MAE POSTITT		==	7.530.00
	PED STATUTE		==	3.240.00
		(7 CASES)		101at 14.001.50
				1,009,50
armiacion a		S - CONTROLLED SUBSTANCES		1.297.00
		S - CONTROLLED SUBSTANCES		1.301.03
	PED STATUTE		**	1.394.00
	FRAUD - 14CD		••	1.390.00
	OTHER ROSSER!	•	•1	1.574.00

EXHIBIT D-I

PATHENTS MADE TO PATHATE COUNSEL IN ERCESS OF THE \$1.000 STATUTORY MAXIMUM DURING OCTOBER 1. 1900 THEDUGH SEPTEMBER 30, 1981

CROST/DIST	esc1	TIPE OF CAS		FT		
	-					1.522.00
	POSTAL BONGERS			.1		1.452.00
	DAUS OFFERSES		D SUBSTANCES	80		1.667.17
	DRUG GPFERSES			-1		1.477.50
	MILE DEFENSES			79		1.702.50
	M					1.963.00
	EI DRAFFI C					2.124.00
	DRUG DFFEESES	- CONTROLLS	STREET SHEETS	-0		2.155.00
	DRUG OFFERSES			83		2.100.00
	MILE OFFERSES					2.228.00
	MILE OFFICES			-0		2.241.00
	MA PHOUS					2.493.30
	DE OFFERSES					2.514.00
	DEUG DEFENSES					2.540.50
						2.054.60
						3.510.00
	FR 840 - GT 144 E					3.427.50
						5.912.00
		29 CASES	,		FOTAL	51.045.62
		393 CASES	,		TOTAL I	,490 , 27 6 . 54
Hete CleCult						
COLDEADO	ME APONS					1.382.00
						1.721.00
	DRUG OFFERSES	- CONTROLLE	SUBSTANCES			1.807.00
	FR.M DINES			-0		2.217.00
	FRAUD - DINES					4.000.00
	FRMO - POSTM					10.754.00
		& CASES	,		FOTAL	21.005.00
	-	wt.		79		1.190.07
	MILE OFFICERS					1.200.00
	DRUE OFFERSES					1.405.40
	DAUS OFFERSES					1.434.00
						1.430.00
	DRUG OFFICESES	- COMPANALE	STREET, S			1.486.00
	MIS OFFICE			-0		1.500.00
	MIL PHONE					1.500.00
	MI Dettatts .			-1		1.500.00
	FRAUD - LE 4014		-			1,500.00
	IMMIGRATION LA					1.945.00
	DRUG DEFERSES					1.950.55
	NUMBER. 740 DE			*1		1.977.70
	MIS WHITE			-1		2.000.00
	DENS OFFERSES			70		3.053.00
		19 CASES	1		-	27.095.12

PÉTRENTS MADE TO PRIVATE COURSEL IN ENCESS DF ING \$1,000 STATUTORY MAXIMUM DURING OCTOBER 1, 1900 THERMAN SEPTEMBER 30, 1901

CHOIT/BIS	10161	THE		**	
-	PED STATUTE ASSAULT PED STATUTE				1.509.00
		, ,	CASES)	1014	0.256.58
	de printer del de printer de de printer de de printer de de printer		TRANS STOLEN P TWANA TWANA COTTCS CASES 1	**************************************	1.570.00 1.590.00 1.902.50 2.000.00 2.403.50
Wian.	FLAGO - PO SAME RESIDENT SAME ROSSIAN SAME ROSSIAN SAME ROSSIAN FRO STATUTO		*****	. !	1.113.57 1.304.00 1.417.50 1.485.00 1.710.00 11.520.55
****				••	2.235.00
78744 M 5791	CT COMPTS		CASES)	1914	
1014 AL CO			CASES)		4. 4,383,728.07

EXHIBIT D4

SCHOOL OF PATHENTS HADE TO PROVATE COUNSEL IN LICEUS OF THE RADBO STATUTURE MAXIMUM DIVING SCHOOL TO THE THE PARTY OF THE PARTY STATUTURE STATUTUR

				-		
		**	**	**	**	Ph. 100 Tu
C.00	COSTOSSOCI	8.0		70	Ter	FT 76
8.	COURTS OF MYSIA					
	OF CERTAIN	1.154.00	4.365.49	1-765-00	Fy 988-88	3-660-55
	FIRST CIRCUIT	8 × 80 Fx 00	9.455.25	******		
	SELBAD CRIVERY	19. m % 78	39.336.25	3-844-00		
	Bengal carrys		17.524.00	4.752.60		
	Foultte Cleasell		* .*52 . 66	2-410-00		
	FIFTA CHALUST	1.705.00	29.450.13	34-263-63	24,999, FZ	0.00.00
	SINTE CIRCUIT		8.025.38	2-598-95	J = 5 74 - 00	
	Simint- Cincult		11.090.00	14-437-23	4-000-65	
	RESSEE CLASSES	1.555.00	9,751,08	0.795.40	1-8 30-00	
	minis clevell	FG - 825-60	80.758.52	171.7M.F.		
	Family Clarest		1 -010 - 10	8-297-50		3-956-56
				22211122		34-32000
	Fa Feb 34	Ph. Ret. 70	709,047.98	P\$8.461.91	a 5, 527 . 50	B. Martin
88.	6851-847 COMP. 10					
	Sc Cresult	11,465,60	7.873.50		6-25s-00	
	PERST CPRCUST	25-521-25	47,994.71	1.451.25		4-127-25
	Section Circust	150 . Fx5. 53	179-011-99	75-124-07		\$. B \$ 7 . C . O
	SHORD CONCLES	55.754.22	97.404.32	81.000.TE		4.895-10
	FORM THE GRANDS !	£2.767.80	99.180.79	22.052.40		
	FIRST CLEANED	150,404.17	245.754.50	Pe-636-14	7-519-00	
	SIGNAL SECURIT	80.571.29	134-444-61	23.255.4		3-007-40
	Sevenin Concest	151,553,10	166, 473.10	19.688.75	4-235-50	1-210-50
	SIGNIO CINCOST	FF. F11.00	153.457.65	145,471.01		
	Black[] stein	734,091,40	748.024.22	491,780,67	14.555.50	1,382.40
	Seate (18401)	20,415,10	41,185,65	1-150-67	1,011,00	20020140
	F F #4 5-1	*50 · 10 ft 11	1,063,000.00	975,961.80	34,773.00	13,403.53
	4100	1844 GDST PER I				
					•	
	** *	10	1-475-4	7 6 22	E414.50	
	F1 4		1.317.4		CASE 50	
	** 1		8-173-5		E434 30	
	P1 1		4-300-1		CA 16 50	
		B ** **	9 - 259 - 9		CASES	
	****		********		42.00	
	8994	INM COST PER I	#56 FOR B1516	SET CRUSTS		
	** *		8 - 951 - 1		CAM SI	
		10	3,000.1	A 6 621	CASE SI	
	F 1	79	7,450,6	6 4 331	C 4 56 50	
	0.0 1	18	4 . 8 44 . 4		CA 16 50	
	Ph 10	M To FT TO	2,400.1		CAME SO	

					3. 3,23	
	***	1868 GDS1 FER (10.25
	***	*66 CDST PER C	*** *** ***	ICT COURTS-	1,50	9.20

EXHIBIT B-I

CATHERIS AND TO PRINCE COMMEN. IN CRISIS OF THE SAME STATUTES MAKINGS FOR ALBERTANCE CASES DURING (CIDER 1, 1900 THEOLOGY METHORS SO, 174)

CHEWIT/BISHICI	-	**	ARDIANT PAID
FOURTH CONCUST	FER STATUTE - TIME		825-10
	f 1 CASES 9	ME	144. 525-00
FOFTE CONCAST	PER STATUTE - DT-ER	-	172.44
	(1 CASES)	761	FeL 772-00
-	1 2 Cases 3	10	14. 1.597.00
FIRST CINCUIT	no statute - grav		173.00
	() (488)	***	FeL 573,00
	1 1 (4585.)	-	141. 573.00
SECURD CONCUST	POSTAL REMOTERY FRAME - STANDS	::	1.290.00
	1 7 (4585.)	101	M. 2-045-00
No. 1044 5	GAME ANT CITALS FROM TO FROM THE STREET	1777	427.50 440.00 510.00 750.00 1,000.00
	t a cases a	101	M. 3-801-90
	1 • Cases)	161	141, 3-444-50
**************************************	FRAME - 07968	*1	93.00
	f 1 Cases)	FRE	ML 951-60
-		*	3.262.00
	E I CASES I	491	M. 3-282-60
-	FRES - INCOME TAX CARRO JURY WITHERS	21	945-00 Pag-00

PARMENTS HALF TO PARMETE COMMITS IN EREETS OF DIS-SHARP STATUTORY MAXIMUM FOR MISSIMERING CASES DISCHA-GLISHER D. 1900 THEOLOGY SEPTEMBER SO. 1980

£00621170151011	1 1991 0	**********	**	440ya1 Fall)
		2 C+5E5 1	19784	3,413,66
		* CASES I	10744	5,446,69
Finale Cocust	OME .THE STREET			981.40
*********		0.00000		
		1 CASES 1	1914	397.60
		1 C#585 1	19744	397.60
FIFTH CIMENTS	GA 800 JUST #1740	188	**	765,00
		: ***** 1	1014	793-66
		1 CASES 1	19746	965-60
Sinte Ci-coil	Comp. (April #1714	15	*1	*****
	FEE STATUTE - 61		ěi.	950.00
		2 C#9ES 1	FEFRE	1.340.00
*35*3***	FRANK - EMERNE 1	44	**	3,500.00
		I CASES I	10744	3,500.00
		9 CASES 9	10144	4,818,00
SERVED CONTRACT				
BLATMOTS C	FEE STATUTE - OF	-		900.00
		1 CASES 1	1014	900,60
\$14.0m215 m	-		**	P25.00
	FEB STATUTE - DT		=	765.00 #75.40
	4	9 CASES 1	19744	
Inclare t	MO STATUTE - OF		=	991.00 988.00
		\$ CASES 1	10144	1-871-60

EXHIBIT E-I

CANNERS HADE TO PRIVATE COUNSEL IN ERCELS OF THE SHAD STATUTEST HAZING FOR ASSESSMENCE CASES DIAGNA OF THE THE THEODORY SEPTEMBEL SO, 1981

CHANAINH	1m = 0	MATERIA .	**	440M1 P450
*05C4#51 *	#55#ULT		**	7.000.60
		S CASES 3	191	M. 2,000,50
		7 CASES 1	181	FL 9-3:1-00
Libera Cietali	455495.7			825-68
		1 CASES 1	191	H. 601.00
95m4 5	FED STATUTE - 0	•	**	1.120.00
		. Cases .	191	FL 1-120-00
		2 CASES 9	*81	1,740.00
mints circust				
46.454.4	PER STATUTE - 0		=	101.00
	PED STATUTE - D	4.	**	1,491-40
		3 CASES I	838	1.492.00
CALIFORNIA C	4 47(m)		**	555.40
		1 CASES 1	***	15.00
California s	455410.1 PER 5747478 - P		26	191-00
	PED 5141UTE - 0		i	576.00
	FEE STATUTE - D		**	375.00
	PER STATUTE - D		==	407.50
	PER STATUTE - D		**	1,430.00
		7 CASES I	1914	1,061.00
-	45549.7		**	415-99
	MED STATUTE - D		==	1.714.00
	GE 400 ART 111		=	2,468.60
		4 CASES I	1014	14. 5.421.00

SAPERATS MADE TO PRIVATE COMMISES IN ENCISS OF THE ANALYSIS MADE PROPERTY FOR MISSISSEMENT COSTS DURING ALTERNATION S. 1985 SHEDICK SEPTEMBER SO. 1981

C8+1088/0015/0014 8	**		CA SE A	PL R SEN	**		ANDIAN PASS
		i 55			FE		475-05
		9	65885			STEL	475-00
NAMES IN ASSESSED					**		1.747.44
	2		4855			1914	3,921.00
CANCERS CLIMINA	me two	FT -	01×64	· #150			771.00
			C#5E5	,		FOTM.	1,505.50
astronom a female A	FELE TH	a me	100		#0		600,00
		3	CASES			TOTAL	860-60
		Fi	C#5f 5			PETAL	21,040.50
Nate Clessort					#1		*10,40
		1	CASES	9		FD7#5	460,000
GPLANIES N FEB 57471	A1 - E1	-			60		1.905.00
			E#5f5			PETAL	1.765,00
	-	56	CASES			FOTAL	48,982,80
TOTAL MLL COURTS		32	E#5F5	,		FOTAL	98,999,80

EXHIBIT E-2

SIMMARY OF PAYMENTS MADE TO PRIVATE COUNSEL IN EXCESS OF THE 5-DO STATUTORY MAXIMUM FOR MISSEMEANOR CASES CURING OCTOBER 1. 1900 THEOLEM SEPTEMBER 50, 1901

CIRI	CULTABLE MICT	::	**	77	77	PRIDE 10
1.	-					
	FOURTH CIRCUIT		625.00	772.00		
	1014131		825.00	772.00		
11.	-					
	FIRST CIRCUIT SECOND CIRCUIT THIRD CIRCUIT FOURTH CIRCUIT FIFTH CIRCUIT	1.596.00	2.049.00 768.00 597.60 765.00	573.00 900.00 3.262.00	***.	•
	SIRTH CIRCUIT SEVENTH CINCUIT EIGHTH CINCUIT NINTH CIRCUIT TENTH CIRCUIT	623.00 6.271.00		734.50	491.0	0 1.441.60
	TETAL SE	12.492.50	24.274.80	5.549.50	935.0	0 1.091.00
	***	(057 P	ER CASE FOR	COURTS OF	-	
	#			025.00 772.00		CASE SI
	414		ER CASE FO	-	COURTS	
		90 70	,	832.83 .047.21 .113.90 .467.50	1 "	CASE S) CASE () CASE () CASE ()
	AVE		ER CASE FOR	ALL COURT	s	-1. 1974.36
	AVE	144 CDST P	ER CASE FO	COURTS OF	PHIL-	· 6790.50
	AVE	144 COST P	ER CASE FOR	DISTRICT	COURTS	-8. 8479.25

PATHENTS HADE TO PRIVATE COUNSEL IN EXCESS OF THE 6250 STATUTORY HAZIMAN FOR DISCRETIONARY AND OTHER APPOINTMENTS DURING OCTUBER 1, 1900 THEOLEM SEPTEMBER 36, 1901

C18CU11/015181	C1 THE D	PERSON	**	AMPLET PAID
SC CIACUIT				\$92.00
		I CASES)	101	HL 892.66
FIRST CINCUIT	2255 PETITIONES			315.40
	MINIS PETITIONS			*90.66
	MANAS PETITIONES		**	950.40
	MARAS PETITIONES		**	570.04
	MINAS PETITIONES		**	615.00
	2255 PETITIONES		**	637.00
	MARCAS PETITIONES		**	747.60
	MANUAL PETITIONES		***	1.440.00
	MMAS PETITIONS		79	2.244.00
	2255 PETITIONES		-0	3.501.60
		I CASES)	101	12.209.20
SECONO CINCUIT			41	275.00
	MMAS PETITIONS		•1	300.00
	MINAS PETITIONS		6.3	330.00
	MADEAS PETITIONE 4		-1	390.60
	2255 PETITIONES			400.00
	MAREAS PETITIONE			430.44
	MANAS PETITIONES		**	130.00
	MANTAS PETITIONES		-1	100.00
	MARKAS PETITIONES		-0	300.00
	MIDEAS PETITIONE4		•1	305.00
	MAS PETITIONES		40	520.00
	MINAS PETITIONS		•1	340.00
	MARIAS PETITIONEA		40	345.00
	MMAS PETITIONS		**	712.00
	MARKAS PRINTINGS		-1	770.00
	MMAS PETITIONS		40	930.00
	MMAS PETITIONS		==	957.50
	MMAS PETITIONS		41	1,000.00
	2255 PETITIONES		*3	1.150.00
	MANUAL PETITIONS		40	1,200.00
	2255 PETITIONES			1,490.00
	MANAS PETITIONS			1.500.00
	2255 PETITIONER		**	1.740.00
		Cases 1	1014	17,703.50
Twing Ciecuit	-		40	800.00
	PROBATION VIGLATIO		-0	300.00
	MARKAS PETITIONES		40	300.00

PATHENTS HADE TO PRIVATE COUNSEL IN EXCESS OF THE SING STATUTEST HAZIMAN FOR DISCONTINUANT AND DINES APPOINTMENTS BUSINE OCTOBER 1. 1900 THOSEN SEPTEMBER 30. 1901

CIRCUIT/0151810		-		-	**		-
	-	MILLIAN			-		350.00
	-	PETITION.					300.00
	2255 PE	III IOME A	1				100.00
		TITION .					580.00
	MAREAS !	PET 130m			-1		470.00
		PETITION.					801.50
		MT11134	_				844.00
		MILLION.			79		1.000.00
		. witees			-		1.000.00
		Pt 11110m					1.000.60
		F4 7 1 7 10 M			-		1.000.60
		TITIONE					1.750.00
	-	M111104	••		70		2,093.00
			3	& CASES 9		16144	12.432.50
FOURTH CINCUIT	-	N. T. I. I. I. I.			41		852.60
	-	PETITION			40		1,000,00
	MADE AS I	MITITION			40		1.100.12
	-	PETITION			78		4,500.00
				* CASES)		-	7,512.72
FIFTH CIRCUIT		MIIII0M			**		300.07
	MARRAS I	PETITION					381.00
	MARKAS I	RETITION					430.00
	MAREAS !	PETITION					450.60
	MARCAS !	PETITION			-		446.00
	MAREAS !	PETITION					460.00
	MARKAS !	TITION			P9		530.00
		ATTITION.			20		534.00
	MARKAS F	REFEREN	E				340.00
		411110m			-		450.00
		ITTIONS A			60		734.90
		411110m	-		-0		900.00
		FILLION	14		-0		955.00
		IT I COME M			**		1.000.00
		E11110-			Pe		1.100.00
		411110M			-		1.110.00
		411110M	-		79		1.200.00
		4.11110m	-		-		1.730.00
		E111124			-0		1.240.00
		411113m	-		**		1.289.00
		ALLIE DIE	-				1.134.00
		411110m			80 H		1.420.60
	10000 000 000 000 00	4 T I T I D N			-		1,450.00
		4 11 1 1 Dad			40		1,570.60
		11110m			79		1.020.00

PATRIETS HARE TO PRIVATE COUNTEL IN EXCESS OF THE AND OTHER APPOINTMENTS OUR THE CATOMER 1. 1900 THEOLOGY SEPTEMBER 30, 1901

C10CU11/015101C1		TIPE	•	PERSON	**		A-DUMT PAID
		********	-				7.340.00
		PETITIO			79		3,199,00
		PETITIO			**		3,764.00
		PETITI2			79		1,190,60
			_		••		********
		•		30 CASES)		FOTAL	38,095.43
SIATE CIRCUIT	-	PETITIO	~		•1		450.00
	TAME AS	PETITIO	-	1			100.00
	MARE 45	PETITIO	-	t .			650.00
	-	PETITIO	-		79		1.250.00
				* Cases 1		TOTAL	2.850.00
MAIN CHEST	0156867	-		O In the set	-0		200.00
		PETITIO			79		500.00
	-	PETITIO	-	i			100.03
	MARCAS	PETITIO	-	1			150.60
		PETITIO	M A	1	70		360.00
				S CASES 1		-	2,466.05
Elcata Checuit	2255 PE	111104			**		300.00
		PETITIO					370.00
		MIIII)			29		399.90
		PETITIO		1			*00.00
		11110=					115.60
		PETITIO			-0		473.00
		PETITIO			-3		128.00
		TITION					500.00
		MILLIA			43		500.00
		PETITIO					357.50
		P411113					380.60
		PETITIO			29		393.00
		PETITIO			**		609.43
		PET I TIO					616.00
		PETITIO			**		700.06
		PATITIO			74		764.00
		PETITIO	_				722.00
		PETITIO					740.00
		PETITIO			40		163.00
		PETITIO			83		Pa.3.CO
		TITION			-0		773.60
	-				79		900.60
		PETITIO			-		975.60
	MARCAS	MITTER	-		/9		994.50
	-	PETITIO	-				1.300.00

PATHENTS HADE TO PRIVATE COUNSEL IN EXCESS OF THE \$250 STATUTORY HAZINGH FOR DISCRITTONARY AND OTHER APPOINTMENTS DURING OCTUBER 1, 1900 THEOLOGY SEPTEMBER 30, 1901

C14CW1170151416	1111	-	**	
				1,105,00
	2295 PETITIONES	-		1,129,44
	MANAS PETITION			1.159.50
	MANAS PETITIONS			1,159,50
	MAREAS PETITION			1,200.00
	MARKAS PETITION			1,475.00
	MANAS PETITION		79	1,090.00
		33 Cases 3	,	25,404.43
MINTH CINCUIT	2255 PETITIONS			290,00
	PROBATION VIOLA	100	80	313.00
	PROPATION VIOLAT	104	-	319.50
	2255 PETITIONER			307.00
	2255 PETITIONER		**	307.00
	MAREAS PETITIONS		79	392.30
	MAREAS PLTITIONS		-0	**3.40
	MAREAS PETITIONS		29	338,60
	MARKAS PETITIONS		-	120.00
	MATERIAL OFFICESS			155.00
	MARIAS PETITIONS	•	80	457.60
	MARKAS PETITIONS	•		*80.60
	MARKAS PETITIONS	•	*0	540.00
	2275 FETTITIONES		40	600.60
	MARKAS PETITIONE	•	**	624.00
	2255 PETITIONES		*0	667.00
	MAREAS PETITIONS		-0	700.00
	MARKAS PETITIONE	•	79	710.00
	2255 PETITIONE			750.00
	MARKAS PETITIONE 2235 PETITIONES	•	79	763.00
	2255 PL 11110m44			784.00
	MANAS PETITION		**	767.00
	PROBATION VIOLAT		79	810.60
	2255 PETITIONES	104	74	881.60
	MARKAS PETITIONS		80	904.00
	M M 45 PETITION		80	950.00
	MARKAS PETITIONS	-	79	90.00
	HABEAS PETITIONS		**	974.43
	HARFAS PETITIONS		**	990.00
	MAREAS PETITIONE	4	-0	1,000,00
	PROTITION P		79	1,000.00
	MARIAS PETITIONS	4		1,030.00
	PAREL VIOLATON		•1	1,344.00
	MARIAS PETITIONS		79	1.153.60
	MARKAS PETITIONE	4	79	1,130,00
	MARKAS PETITIONE	4	80	1,104,00
	2235 PETITIONER		79	1.220.60
	2295 PETITIONES	_	60	1.225.00
,	MARIAS PETITION	•	29	1.310.00

PATRENTS HARE TO PRIVATE COURSE. IN ENCESS & INC AND STATUTORY MAXIMUM FOR DISCONTINUARY AND STATE APPOINTMENTS DURING OCTOMER 1, 1900 THROUGH SEPTEMBER 30, 1901

CIRCUIT/DISTRICT	TW		-	100			**		APPURT PAID
	-						79		1.345.00
	-						Pe		1,443,60
					-		79		1,400.00
	-						79		1,555.00
	2230 8								1.055.00
	-						-		
	M. MAS						=		1.676.00
							**		1.937.00
	2255 6						7		2.017.60
	2235 M						-		2.230.64
	-		-	-			75		2.375.00
	MARK AS								2,500.00
	-						29		2.566.60
	MA TERE						**		7.500.60
							70		2.534.00
	MADE & S	MII	110-				**		2.404.66
	-	PETT	110~				**		3.449.60
				54	CASES			POTAL	64.713.69
hath CleCuil	-MEAS								300.00
	-						20		100.00
	THE REAL S								625.00
	MEAS						-0		450.00
	-						**		760.00
	MARK 45						~		1.000.00
	2295 M		-				20		1.239.00
				7	CASES	•		FOTAL	5.802.00
Total CO.#15 OF HPF N.			•	191	CASES			FUTAL	116.034.42
DC CINCUIT									
DISTRICT OF COLUMN	PROBAT	-	100. AT	104			29		327.40
********	PRIBAT						43		330.64
	PROBAT						P		135.60
				3	CASES			TOTAL	1.120.00
				3	CASES			1514L	1.120.00
FIRST CINCUIT									***
MASSACHUSE TTS	-						**		110.00
	-	~ ~ ~ ~ .					-0		710.00
	MA 86 4 5								756.00
	-	PETE	1000	4					*16.60
					CASES			-	2.440.40

PATHENTS HADE TO POIVATE COUNSEL IN EACESS OF THE APPO STATUTORY MAXIMUM FOR DISCOUTIONARY AND DIRES APPOINTMENTS DURING OCTUBER 1. 1900 THEOLOGY SEPTEMBER 30, 1961

CIRCUIT/DISHI	C1 1996 0	PERSON	**		-
-					544.25
		1 CASES 3		FOTAL	344.23
Puak10 +108		04	70		750.00
		1 CASES 9		TOTAL	750.00
		& CASES 1		POTAL	*.174.25
SECOND CINCUIT					
COMMECTICUT	MHAS PETITIONS				357.51
	PARKE YIOLATOR				384.66
	PAROLE YEDLATOR				815-60
	POST TRIAL MOTION				1.300.00
	MHAS MITTIONS		78		1.100.00
	MHAS MITTIONES		•1		1.460.00
	MH45 PETITIONE4		78		1.700.00
	•	7 CASES 3		1414	4.010.51
Min 1984 4			70		\$16.60
	MINAS PETITIONE				1.094.00
			**		2.541.50
		3 CASES 3		TOTAL	4.145.54
MEN TURK S	MATERIAL WITHE SS		*1		310.00
	PARKE VIOLATOR		::		390.00
	MATERIAL WITHERS		==		132.60
	PROPATION VIOLATIO		===		304.10
	WHAT PITTING		79		595.60
	2235 PETITIONES		77		2.195.00
		7 CASES 3		101AL	*.002.35
W# 1385 #			74		452.40
	MINTES PETITIONES				470.10
		P CASES 9		TOTAL	928.70
****	-		*1		445.00
		I CASES I		TOTAL	465.00
		PO CASES)		-	17.200.04

PARMETS HARE TO PRIVATE COURSE. IN EXCESS & INC. AND DISCR APPRINTED SOCIAL DESIGNATIONS OF THE SCHOOL IS NOT THE SECOND SOCIAL SECOND SECOND SOCIAL SECOND SECOND SOCIAL SECOND SECOND SECOND SOCIAL SECOND
C (4 CW21 /0 15 18 15 1	-	e mages	**		ARGUNT PAID
Telep Circuit	MAS PITTONE MASS PITTONE PASS PITTONE MASS PITTONE		21 87		540.00 750.00 844.00 1.80.00 1.614.00
		S CASES)		-	3,440.00
M. ALS.1	POST TRIM, MOT 100		*1		300.00
		1 CASES 1		TOTAL	300.00
FERRSTLEAMIN E			**		410.00
	•	1 CASES 1		-	410.40
-			41		405.60
		I CASES I		1014L	403.00
PLANTIFICAL E	235 ATTION:		::		\$80.00 1,761.00
		2 CASES 1		Fullat.	2.341.00
		10 CASES 1		10144	*,*04.00
POURTH CIRCUIT	-		**		2.527.50
		I CASES I		TOTAL	2.527.50
	2255 FETTIFICA				474.00
		. CASES)		total.	474.00
-	2255 PETITIONE		**		795.47
		1 CASES)		101aL	705.47
	2004110 110.411	Dec .	::		**2.50

PATRICUS MADE TO PRIVATE COUNTY, IN EXCESS OF INC AND STATUTERY MAXIMUM FOR DISCRETIONALY AND STATE APPLICATIONS DURING ATIME 1, 1900 THOMAS SPRINGER 30, 1901

CHONTAINE	1996 00 1	7	1500	**		440/A1 F410
				79		3.250.60
			Cases 1		TOTAL	1.595.50
100 to CARGE, 144				=		840.00
			CASES I		10144	1,290,00
		-				********
viscials 6				::		321.00 620.00
		2	CASES I		PDTM.	1,141.00
wist electric 5	-			2 e		1,900.00
		8	C45E5 1		-	1.000.60
		88	CASES I		TOTAL	11.734.67
FIFTH CI-CUIT				74		
			CASES I		TOTAL	745.00
		•				
-	PAROLE VIOLATOR			**		326.00
	MANAS POTENTIANES			**		101.00
		٠	CASES 1		-	1.700.50
FLORIDA W				79		*11.00
	MEAN PRINTING			75		1,000,00
		,	CASES I		PERM	2.011.00
FLG#104 S	-			-0		200.00
	PROBATION YOURATES	D#		43		No.00
				**		4.129.00
		٠	CASES)		TOTAL	3,435.32

PATHORTS HARE TO PRIVATE COUNSEL IN EXCESS OF THE AUTO STATUTORY HAZIMAN FOR DISCRITIONARY AND OTHER APPOINTMENTS DURING OCTIONS 1. 1900 THIRDER SEPTEMBER 30, 1901

CIRCUIT/BISIS	161 1994 0	-	**	AMOUNT PAID
GEOWETS W			*1	970.00
	MAIN MITTING		**	*55.66
			7	764,64
		•		1.700.00
		* CASES 1	14	IIL 3,425.00
-	235 71111004		**	727.44
		1 CASES 1	10	IM. 127.00
100151444 8			**	545.00
		I CASES I	16	14. 545.60
*1551551771 *			=	1.000.00
	MINES PETITIONS	•	-	1.125.00
		2 CASES 3	FU	M. 2.120.00
Haas .			**	***.56
	MHAS PETITIONS		**	690.66
	MHAS PETITIONS	•	70	1,901.00
	•	9 CASES 3	***	3.275.40
	-		*1	***.40
	MANAS PETITIONE		77	**5.60
	MINAS PETITIONS		**	345.66
		•	**	1.00.00
		4 CASES 3	rai	3.300.00
	•	27 CASES 3	tut	M 21.003.02
SINTE CI-CUIT				
RENTUCET &		•	79	1,000.00
		1 CASES 1	101	H. 1.000.00
-	PROBATION VIOLATI		**	121.00
	MINEAS PETITIONS		=	500.00
	MATERIAL OF THE SS		••	777.50
			***	963.00

EXHIBIT P4

PATHENTS HAM TO PROPERT COUNTY IN EXCESS OF THE SAND STATE THAT HAZINGS FOR DISCRETZIONARY AND STATE APPOINTMENTS DESIRE OCTUBER 1, 1900 THEOLOGY SEPTEMBER 30, 1901

CHONANA	1 1996 0	P PERSON	**	ARDIA1 F419
			**	943.00
		5 CASES 1	161	3,409.50
*15*154* 4	-	1 100	**	337,50
	MARIAS PETITION		22776	340.00
	MARIAS PETITION		***	**0.68
	MATERIAL WITHEST		70	493.75
			**	500.00
	STATE OF STREET			100.00
			-1	1.100.00
	MES MIIIIM			1.336.60
		e cases o	101	144. 3,187.25
	-	1104	*1	251.00
		1 CASES 1	101	751.40
Dm10 *	MARIAS PETITION		40	366.40
	MARIAS PETITION		**	130.00
	3255 PETITIONES		40	*66.00
		3 CASES 1	101	1.250.60
0=10 5	PAREL TIOL 4774		*3	399.00
	MARIAS PETITION		20	1.040.00
		2 CASES 1	161	1.399.00
			*	
12 mm (5 50 6 m	MENAS PETITION	14	43	484.50
		I CASES I	191	M. 601,00
		21 CASES 1	161	13.396.75
SEMENTA CONCUST	-			272.56
NATION A	NAMES PETITION		-	331.50
	-			414.00
	BARRAS MITTIES		79	\$55.00
	DISCRETIONANT A		#1	710.00
	DISCRETIONARY A		8 5	1.006.00
		. Cases 1	161	AL 3.805.00

PARRIETS AND 18 PRIVATE COUNTY, IN CACESS & INC ADD STATUTORY MAXIMUM FOR SUSCINITIONARY AND STATE APPLICATION SUSTAIN COUNTY L. 1800 THOMAS METERMEN 30, 1801

CHESTARISM	ct twee o	P PERSON	**	
-	-		*1	310.04
		I CASES 9	1914	335-04
Indiana S			**	1,000,00
		I CASES I	1014	1,000,04
*15C0#50# #			==	750.00 675.00
			-	
		E CASES 1	707A	1.429.00
		10 Ca161 1	Rutai	4.740.60
-				
*****	MINAL PRINCIPAL		**	105.00
	week Stilling		-1	\$20.00 \$20.00
	WHAT PUTTING		**	903.00
	MEN STITISM			1,791,50
	MALL STITISMS		**	1,750,00
	MAN PITTING		29	1.877.60
		7 CASES 1	TUTAL	7,560,00
			*5	1.341.66
		I CASES I	10144	1.941.40
HOME S	-		40	341,46
	MATERIAL DEEMESS		=	112-00
	MARKET PRINTING		•	750.00
	MANAGEMENT OF THE PARTY OF THE		**	815.40
	-PI - TITLE		**	1,448,66
		. Cases 1	10144	1,614.00
POWE SOFA	PR(84110m +100,411		**	*03-00
		3 CASES 1	10144	103.00
millioni &				P40,448

PARMENTS HAVE TO PROPERTY COUNTY, IN ENCESS OF THE AUTO STATUTED THAT FOR STREET TOWARD AND CHIEF APPENDINGS SUPPLEMENTS SAFING (C. 1984 I. 1984 THERESE SEPTIMENTS SO. 1984)

CHCHIMISH	1194 0		11500		**		AMDURT FAIR
		8	CASES			PDF#L	Pec.46
#1552:R1 #	-				**		291-08 125-08
			CASES			TOTAL	1.104.00
NUMBER DANSEL	PROBATION TIG. 410	04			61		262.00
			CASES			total.	262.00
10 084 584							719-46
	APPARATITIONS	,					191.00
	MESS PETITIONS				61		95.66
	MARKAS PETITIONS				70		1,9/3,68
	MIRES PETITIONS				29		2.444.00
			CASES			FDTAL	7-576-60
SQUITE GRADIE					-		255-60
	MERCAS PETITIONS				-		257-00
	PERSONAL FEBRUARY				-		250.00
	PEGBATION VIOLATI				-		901-00
	MARKAS PETITIONES						913.39
	PROBATION VIOLATO				-		991.66
	makes retitions	1			2882882		Pho.00
			CASES	9		FOTAL	3-490-22
		99	CASES	9		FET ML	87.A82.48
month Compati							
#L#5##	PROPATION 1103.415	84			-		255.00
	PEGRATION VIOLATI						420-00
	POS TON TO				-		654.66
	PROBATION *108.410	•			80		Fe4 - 08
			C#5E'S	9		POTAL.	2.193 .40
A# 12 5/14	-				61		PHG. 00
	AUTO PETETIONES				29		POR - 04
	MERCHAL PRINCIPLE				81		913-09

AND STATUTED PROPERTY OF STATES OF THE STATE

***************************************		-	**		-
			-		917.96
	Serie, et terts		-		222.44
	mittelle, eifel to		-		20.00
	mittelle, erfet ti		-		200
	WHAT STITLES		=		212.44
	m Helm, erfet to	•	=		227.22
	SHALL PRINCIPLE		==		870.44
	S 199144, all 14 15	•	-		2 - 202 - 40
	SHEEL PRINTING		=		1 - 2 - 2 - 2
	-				0-100-50
		ES CASES S		total.	10.309.00
-	-				799.68
	COMMITTED VIRGINI	ide.	*1		(97,48
					96568
	\$1 1695 T L(\$145 T 451		40		815.40
	MIST 1916. MIT IS	•	-		570.00
	POST TRUE, METIO		41		323-68
	MILE THIS MELDI		48		20.7 -54
		-	-1		Ph. 2 - 4 - 4
	2255 PR 11110MG				275.44
	DISCRETIONARY APP	To Self-et de	-		997.50
	DI MORETI, MARY API		111111111111111111111111111111111111111		959.69
	PRIMATION VIOLATI		-		995.69
	PROBATION VIOLATI				
	PEST TRIAL METIDA				244
	PROBATION TIS.AT		-		200.00
	- INF 144, BT PM 14	-			944
	COMPANDED TO THE OWNER.		-		200.00
	MILE MILE MATER		-		504.60
	SHEEL STILLING		-		1-6-1-50
	FEST 1816, MET181				1,500,50
		29 CASES 1		total,	10,515.00
Sautomia E					
Carlindania c	FEST 1814, 401104		22		
	PRINCIPLE TIRAL		-		200.00
	FRAT 1816, ACT 104		21		221-22
	PARM VIOLATER	•	22		223.22
	APRO PETITIONS		1		629-64
	255 741111244		_		
		A CASES I	1	ript ma.	3-581-69
-	-		**		270.00
	PROPERTIES FIRST				505.00
	PORTION VIR.AT				984-59



PAYMENTS NAME TO PRIVATE COUNSEL IN EXCESS OF THE \$250 STATUTORY MAXIMUM FOR DISCRETIONARY AND OTHER APPOINTMENTS DURING OCTUBER 1. 1900 THEOLEM SEPTEMBER 30. 1901

CHEWITABISTRICT	THE .	14 MESON PT	
	[RIAL WITHESS		660.00
	S PETITIONES	**	679.00
	OLE VIOLATOR	**	1.167.00
***	es milliones	**	1.365.00
	1 71	cases) rotal	5.110.00
CALIFORNIA S MAT	IDIAL WITHESS	•1	252.50
Ma Ti	FRIAL BITMESS	•1	257.50
	ERIAL WITHESS	-1	262.50
	IRIAL WITHESS	*1	262.50
	[0]&L #11#ESS	**	262.50
	FRIAL WITHESS	•1	265.66
	CREAL WITH SS	*1	276.00
	FRIAL WITHESS	40	272.50
	FRIAL WITHESS	61	277.50
	FRIAL WITH SS	*1	200.00
	FRIAL WITHESS	40	207.50
	FRIAL WITHERS	*1	207.50
	FRIAL WITHESS	-1	290.00
	FRIAL WITHESS	*0	290.60
	FP 144 WI 196 55	*1	295.60
ma 1	FRIAL WITHESS	*1	295.00
ma 9	CRIAL WITHESS	•1	295.60
	ERIAL WITHESS	41	297.50
	ERIAL OF INESS		362.50
	ERIAL WITNESS	•1	305.00
	FRIAL WITNESS	61	307.50
	BATION VICLATION	**	312.50
	ERIAL BITMESS	***	315.00
	FRIAL WITHESS	*1	322.50
	60 ML WITHE SS	41	3/2.30
	6014L #11MESS	- 1	M2.50
	FRIAL WITHESS	•1	325.00
	ERIAL #11MESS	*1	323.60
ma 1	PRIAL WITH SS	*1	327.50
741	SPIM WITH SS	*1	130.00
ma 1	ERIAL WITHE SS	*1	330.00
	ERIAL WITHESS	41	330.00
	ERIAL WITHESS	*1	332.50
	ERIAL WITHE SS	*1	334.50
	FRIAL WITHESS	8.0	335.00
	ERIAL OFFICE SS	**	340.00
	ERIAL WITHESS	41	340.00
	PRIAL WITHESS	*1	145.00
	BRIAL WITH SS	*1	345.60
	BOIAL WITH SS	41	155.66
			222000

Parmints made to private counsel in Enciss of the 2500 Statution T maximum For Discontinguant and Other appointments busine Octuber 1. 1904 Induses September 30, 1901

Chemilybrahalel	-	**	
	MATERIAL WITHESS		362.50
	THE SEAL WITNESS		362.50
	MINERIAL WITHESS	-1	345.00
	MATERIAL WITHESS		365.00
	MATERIAL WITHE 35		367.50
	MATERIAL DITMESS	*3	375.60
	MATERIAL DITES	•1	300.00
	MATERIAL WITHESS	*1	300.00
	MATERIAL WITHESS	*1	385.00
	MATERIAL WITHESS	*1	390.66
	MATERIAL DITMESS	-1	392.50
	ma 194 84 WI THE SS	*1	100.00
		41	100.00
	NA THE SAL BITMESS	*1	105.00
	material with 55	*1	112.50
	MATERIAL WITHESS	80	415.00
	MATERIAL DI INCS	*1	120.00
	MINELS WITH SS		420.00
	PROBATION VIOLATION		427.50
	MATERIAL WITHESS	80	430.00
	MA SER SAL MITTERS	.1	432.50
	MATERIAL WITHESS	-0	432.50
	MATERIAL WITHESS		**3.00
	OR SERVER WITHESS		447.50
	MATERIAL WITHESS	-1	447.50
	PROBATION VIOLATION		452.50
	MATERIAL WITHESS	•1	166.00
	MATERIAL WITHESS		467.50
	SERVICE WITHEST		467.50
	MATERIAL WITHESS		477.50
	MATERIAL WITHESS		180.00
	MATERIAL WITHESS	•1	462.50
	MATERIAL WITH SS		465.00
	MATERIAL WITHESS	•1	\$05.00
	Material Directs	*1	120.00
	TA TOP IAL PITTERS	*1	342.50
	- Treist with 55	•1	\$43.00
	PATERIAL WITHEST	79	333.00
	MATERIAL PITERSS	79	562.50
	MA TOR SAL WITHE SS	•1	432.50
	- Welst willed to	•1	437.50
	me Helat withe 55		645.00
	MATERIAL MITHESS		450.00
	MA TER SAL WITHE SS		452.50
	m. 162 144. 01 146 55	•1	457.50
	MATERIAL WITHESS		675.60
	MATERIAL WITHESS	•1	675.00
	- 100 IAL #17# 35	•1	+90.00
	THE REAL WITHEST	79	703.00

PATRENTS HADE TO PRIVATE COUNSEL IN EXCESS OF INC 6250 STATUTORY MAXIMUM FOR DISCORTIONARY AND DIMER APPOINTMENTS DURING OCTOBER 1. 1900 THEOLEM SEPTEMBER 30, 1901

C10CU11/013	IRECT	110	-			-
	-					121.50
	MATERIAL.					735.00
				**		735.60
	MATERIAL.			-		750.00
	MA TER SAL			40		830.00
	MA TER LAL	will find \$1				837.50
	MA TER LAL			82		907.50
	POST TRIA	a. mar so		29		915.00
	MA DEP SAL			*1		952.50
	MATERIAL.			29		967.54
	MATERIAL.			79		1.107.50
	MA SER LAL					1.202.94
	MIRRIAL			*1		1.377.50
			107 CASES	,	-	*9.835.00
******	PRIBATION	****	110-	-1		292.50
	PACRATION					303.64
	PROPATION			40		340.00
	PREMATION			29		100.00
			4 CASES	•	-	1.395.50
10440	- Helat	w) Ted 51		*1		313.00
			I CASES	,	POTAL	513.44
CALCUM	PROPATION			**		290.54
Cast orca	PECBATION			***		310-00
	MARKAS PE			-		303.60
	MOFAS PE			*1		375.00
	NA TER LAL			***		395.00
			-	*1		110.50
	MARIAS PE			79		4,00.00
	POST 1814			**		917.50
	MARIAS PE			*1		630.00
	-			*1		853.60
			PPDINING VI	80		647.00
				60		1,015.04
			12 CASES	,	1014	4.161.60
		-11-		*1		291.00
	PRIMATION			40		374.00
	Patenti libra	******				314.00
		•	2 CASES		TOTAL	805.00

CAMENTS HARE TO PRIVATE COUNTY, IN ESCESS OF THE LOSS STATUTED Y HAZINGS FOR DISCOSTIONARY AND STATE APPOINTMENTS ON INC. (CAMEN 1. 1904 THEOLER MPTEMBER 34. 190)

CHONINGISHICI	-	100			**		-
magazinetum m	-						301.50
	PRODUCTION VIOLA		•				110.00
	MARKAS PETITION				**		125.60
	WHEN SINGS	15					1.346.10
		•	CASES			-	2,402.60
		100	CASES			TOTAL.	12,400.37
ICATA CINCUIT							
CUL DRADO	MARIAS PETITION				79		100.00
	MARIAS PETITION	44			79		675.60
	-	18			-1		840.00
		3	CASES	1		101AL	2.015.00
No 181100	2255 PETITIONES				70		349,99
	2255 PETITIONS				78		309.99
	2255 PETITIONE				70		350.01
		,	CASES			101aL	1.049.99
GELANGHA E		1104					331.40
			CASES			TOTAL	131.00
-	-						150.00
		1	CASES			Iulas.	350.00
Ulan	-	1 104			41		100.00
			CASES			-	4,405.99
TOTAL DISTRICT COLATS		130	CASES	,		-	244.000.13
-		121	Cases	,		191aL	M1.012.75

EXHIBIT F-E

SIMMALY OF PAYMENTS MADE TO PRIVATE COUNSEL IN ESCUSS-OF THE 6250 STATUTORY MAXIMUM POR LISCRETIONARY AND COME APPOINTMENTS DURING SCHOOL 1, 1900 THEOLEM SEPTEMBER 30, 1901

	or more 1.	190 1906	MPTERM	. 30. 1401	
 	**	**	79	**	Paids 10
 W11/015/41C1	•1	••	**	-	
COURTS OF MPERS					
DC CINCUIT		892.00			
Flast Clacult		10-025-23	2.244.00		
SECOND CINCUIT	5.197.50	12.504.00			
INIBO CIRCLIS	1.150.00	8.505.50	3.097.00	1	
Form Im CIACULI	052.40	2.100.12		4.500.00	1
FIRTH CIRCUIT		21.500.63	16,479.00	1	
SIRIS LISCUIT	450.00	1.150.00	1.250.01		
Sinfalm Cincell		1,400.05	500.04	1	340.0
Elimin Cinculi	1.415.00	18.104.53	3.005.44		
minim clacult	1.303.50	24,904.23	33.337.14		2.534.44
teals (latel)		1.275.00	4.627.00		
1,446.54	14.428.00	102.479.26	******	1,000.00	3.094.00
-					
GC Cleanill		339.00	782.00		
FIRST CIRCUIT		3.424.25		1500	
SECOND CIRCUIT	3.595. 10	7-117-30	3.242.45	3.310.00	1
Smiles (Beault	2.979.00	4.571.00	2.354.00		
Found in Cincali	1-1-1-00	5.703.67	3.000.00	1.000.00	1
stelm classiff	*10.00	12-626-62	2.341.00	4.401.00	1.105.64
SINTA CINCUIT	1.411.00	7,100.00	4,376.00	493.75	
Sevent- Cincuit	1.457.50	4-427.50		655.00	
Classic Classell	0.516.22	9.467.00		1.024.00	1.000.00
alain (14cull	44.335.66	37.NO.71	8.743.00	c.000.00	
SENSE CIRCUIT	1.300.00	661.00	1.175.00	1.040.00	
8.844.54	65.046.48	93.007.51	33.343.60	15.563.74	2.305.00
	4 COST PER	C45E FOR CO.	1815 OF AP	-	
FT 41		• 11	1.44	17 CASE SI	
FY 80			1.05	119 CAM 51	
** 24		1.38	1 80.0	SI CAMESI	
FT 70		3.50	.00 (2 CASE 53	
P4 108	10 FT 76	1.54	1.00 (2 CASESI	
***	M (051 PER	CASE FOR D1		*15	
PT 01			1.50	133 CAM SI	
FT 60			1.10	141 CASE SI	
FT 70			1.44	30 CASE SI	
FT 70		1.03		15 CASESI	
P4108	10 ** 16	**	1.00	3 (456 5)	
***	u wat ree	CASE FOR AU	COM#15		8 767 .45
	4 CDS1 PER		MIS & M	MH-4.	. *** . **
411 841	4 COST PER		IRRET COM	ers	8030.17

EXHIBIT G-1

CONTROL OF THE PARTY OF T

CHICAGO CONT.	cost in thereta	**	SECURE PAID
GESTRIET COMPS			
-			5102.00 4102.00 5102.00 5103.00
# CPROFF	4 C+W3	-	5,460,00
		-	
-		=	==
MART CONCR.	P COSM		3-099-00
		-	-
-	PROPERTY OF PERSONS AND MARKET	Ī	*00-00
	Particular Programan (40 to 61	=	120.00
	COMPANY OF THE PART OF THE PAR	=	-
	engeneral en consensor de la conse	=	
	-	2	190.00 1.000.00
-	-	-	990.00
	CONTROL CONTROL		
	mental and the contract of the contract		900.
		1	6. PR. B
-	Committee Committee	_	
	CTATAGE SURFICES	E	
-	* \$10,000 (\$10,000 (\$10,000 (\$10.00))	**	****
	COURS COMPANY		900.00
	Charles Tree (Sec. 4)	=	
	THE PERSON STREET, SAN	91	675. W
	administration and an order		0.499
	On COURT	-	PLANT OF
NORM GROSS		-	
-	South Charles	Ī	
	PROPERTY OF STATE OF STATE OF	=	
	Grade Compay		wat) _ 400
	Company of the Control of the Control		760.00
	with the property of the party	2	0-040-6
-	ABROMERIA COLLABRIC AND WEST,	=	580.00
************	3-21 Table	=	3.50.0
-	editional and appearance of the fig.		101,000
	OR MANUAL COMMISSION	Ē	
	Compa Carrier,	=	909.00
	The FACE CHAPTER?	=	6.000. 60
THE STREET	UR CASH		10,000,00
***	**************************************	**	Sec . 60*
	COM 10 10 10 10 10 10 10 10 10 10 10 10 10	91	***
	FRANCISCO PROCESSO (MILES OF THE CO.		213,000
	1 2 ME TO 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	**	****
		91	nat-
	- 6 and refit and 8 to 1 and and refit 6 to 1 and 1	-	P79.00
	0.000 404 401 601/044 404 405 401 601	80	790.
	0-\$46-0-10 to 120-160-1-100-1	90	9.75. 000
	O-000 miles (0.000	-	5-750-00
	Camera (40, 40, 40, 40, 40, 40, 40, 40, 40, 40,	20	2,015.
	(May acc) Summan?	95	5.005.00
COMPANY CONTRACTOR OF	10 10 10 10 10 10 10 10 10 10 10 10 10 1	8	000-00 701-0

EXHIBIT G-I

-			
	And the second s		
-	Code 1904, chambios Supplicate producing produ-	=	500.00 1,001,00 5,771,00
-	Challenger of the sales of the Challenger of the	=	33
THE STATE OF	OF CASE	-	-
-		=	==
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*	-	-	
-	-		***
****		:	.=:
****	-	=	22
•		I	
-	(F 0100)		12-12-12
	CALLED COMPANY	1	==
		5	# ##
	CHEMICAL	**	100.00
CONTRACT OF THE PARTY	* 04000		
Name of	THE PARTY.	2	12.5
	Company (Co.) (Co.	60 60 60 60 60 60 60 60 60 60 60 60 60 6	61. 6 06. 6 06. 6 06. 6 06. 6 06. 6 06. 6 06. 6 06. 6 06. 6
or general t	-		0.
		1	81

EXHIBIT O-I

Chargest with to beings or too ally. Chargest springs and beginning to prove the con-

STRUMENT COUNTY	Times on agreement	*	seven est
			4-8-8
	On Carriero	86	
-	*****	-	
-	THE WHITE PROPERTY	_	
-	-	- 1	
	Committee of the Commit		1.01.0
		1	
	CALL STATE OF THE PARTY OF THE		
	COLUMN STREET,	2	200
	THE REAL PROPERTY.		100 . de
	Control of the Contro	90	
	100000		
		=	10.8
-	CONTRACTOR OF BUILD	-	
	-	2	3.5
	THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS NAMED IN COLUMN TW	3	
-	THE PERSON NAMED IN	•	5.00.0
		i	
-		=	939.00
	-		
	Charles and County and County	*	
STREETS CONCUSTS	00 04070		$\Phi \otimes_{\mathcal{A}} \mathbb{R}^{2n} h_{\mathcal{A}} \cong$
***	COMPANY OF THE	2	No. of Contract of
P1000	Charle Assert		0.700
	-	*	***
	Sumbs Simon.	B.	600 c () ()
	Supple Separa.	Sec	900.12 001.
	Participation of the participa	60	2 2
	COMPACTOR'S	2	
	1 mm 2 m 1 0 0 m 1 2 1	-	80 D
	Address and the sales of the sales		14000000
	Law and the Company	*1	and the same of th
	Cumba Compa.	60	9 10 00 c
	(2	Section 7
	Company of the Company	2	6-07-0-00 6-07-0-00
	Guide Chies.	-	No diction of Column
CALPSON !	Comment of the Commen	2	90.0 mm
	Straigs Country		6-00, 5°0
	and and 20140.		Non- ti
	COMPANY OF THE PARTY OF THE PAR	8 1	9, 9, *
	10071000	=	Sect. 7 :
	CHARLES THE COLUMN THE RESERVE	=	200
	THE PERSON NAMED IN	20	500-20
	Summer Company	**	1-16-00
	· ** *** *** *** *** *** *** *** *** **		0.000,00
		-	

EXHIBIT G-1

CONTROL OF IN SECURITY OF THE STATE OF THE SECURITY OF THE SEC

EPROPRIED	time or species	-	general to
MINISTER COMPS			
	Casaling of Figure Ties. Casaling of Figure Ties. Casaling of Section 1997, 1999,		Grade Co. 10 (1985) - Co. 10 (
	Appropriate to the control of the co		\$1.0.000 \$1.000
	Comments of the Comments of th		\$200, 600 \$200,

(POPPAIRMET	and & clearly	**	#1000 FEED	
MATRICE COMPANY				
-	******************************	*5		325.00
-	PERSONAL PROPERTY PERSONAL PROPERTY.			100.00
	FR000 \$ 77 64 700	96		400.00
	100 F5 7 1 6 47 (M	**		925-00
	I WESTIGATOR	Ē		484.00
				754.00
	1-8714-	-		1-295-43
-		**		384.00*
	PERSONAL PROPERTY FOR COMPANY	*1		500.00
	-			126.00
	PROPERTY OF PROPERTY AND ADDRESS.	-		540.00*
	* \$15(m) & 78) \$1/ P\$#C=\$0, \$6:19?			****
	STATE ESTATES AND SESSE	74		1.4
****	PRESIDENCE SIN	**		191.00
	100757154700	91		282.00
	**************************************	*1		499,00
	PERCENTATION OF THE WAY SELECT	**		100,00
	1009571507(B	*1		419.00
	144757164798	*1		276-00
	a backers and backers and were provided	*1		Statut Com
	1 mag 5 *3 6 a *1m			425.00
	100 100 100	-		445.00
	*100mts**10*/*100 mail:1	- 2		
	Orage Contact			177.00
				101,404
	Progression principle			
	(4798-44 75)	*1		777
	Grupe Carrer			
	#\$#\$#\$&?#?\$?#\$#\$#\$#\$.#\$19?	*1		610. GE
	**************************************	*1		1-262-500
	* \$100 mg & *** \$ \$7 / #\$10 mg, 08,15?	*1		5 - FWG - 60*
	Garde Chairt.	**		1.465.00
MALE CONCRE.	149 Cates		186.975.65	
C94,084.00	*910211478157/#910/100408/97	*1		527.00m
	\$#EMIAT!\$7/#\$#E #8L 8&187	*1		325.004
	e Bacima e qualitativa baci mari (Milita) Capa vecic alles pera	*		100.00
	(*)(*)**;**(*)*	29		516.00*
	with the same of t	*1		52% com
	a desired a used the hand made lated the	**		THE W. P.
	P\$45m1414151/P\$45 MN, 06161	*1		175.00
	* \$100 mg a *** \$7 / #3 m2 mgs, 06 \$7	**		195,69×
	**************************************			750.00*
	* \$100,000 FR1 57/#510,000 (00 0 8 7			999,004
	**************************************			992.504
	# \$100,000 \$100 \$517 P\$ 075 only, (\$1.251)	-		110,00
-	*\$95*647*157/9595-40,06197	**		100.00
97 -	-	*1		16.400.00
-	16 CARRS		24,054,14	
	948 CKSFS		197-209-20	

EXHIBIT G-2

PAYMENTS MADE IN FECESS OF THE 8300 STATUTORY MAXIMUM FOR EXPERT OR OTHER SERVICES DURING OCTOBER 1. 1983 THROUGH SEPTEMBER 30, 1981

CI	ACUST/DISTASCT	7	::	**
	DESTRICT COURTS			
	E CINCUIT	1.352.50	540.00	.00
	PERST CIRCUIT	1-105-00	.00	.00
	MCDAD CIRCUIT	13.947.44	9.315.20	.00
	THISD CINCUIT	7.334.75	9.455.10	.00
	FOUR TH CIRCUIT	24.974.34	7.278.22	.00
	PIPTH CINCUIT	9.100.10	8.145.00	-00
	SIRTH CIRCUIT	1.544.00	2.200.44	450.00
	MARKE CIRCUIT	9.920.41	2.799.00	.00
	FIGHTH CINCULT	13-244-47	17.027.00	.00
	MINTH CINCUIT	102.345.75	82.139.44	1-045-00
	MALE CINCULL	25. 504. 14	100.00	.00
	TOTALSE	210.404.30	140,429.82	2.295.00

AVERAGE COST PER CASE FOR DISTRICT COURTS

PY BL	923-17	229
FT 80	1-231-04	114
FT 79	765.00	
TOTAL ALL TEARS	1.023.79	345

			Sample Std
-	2	===	

Come		-	===			-
Ξ	-	=	=	=	=	=
.						-
	74/9480	1.0				3,000
RE FEB						
See for case for	***	**				***
-						
		LEFE B	**	-	1/80	B)CA
w (b	16,613.70	Suppose and	18.8		1,000	8/75
90 90 90 9	1,00.00	1,571.0	-	.==	.22	1000
wa	91,68 m	9,695.00	-	-	-	-
(17 60, 6 01, 7 91, 6 01, 8	0.60170 0.600.00 0.600.00 0.600.00 0.600.00	1/22	===			1,010 P
M-19	19,98.0	6,750	6,855.8F	1400	-	-
68 80 80 80, 0 80, 0	100	100		-51		100
-	B,600.00	1,000		10,000	1,000.00	15.00.5
	60,000,000 0,000,000 11,000,000 150,000,000 150,000,000 1,000,000 0,000,000		-	1	=	1,000
-	TRACE.	1,000.00	1,000,00	0.867	NAME OF	90 cm
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	100 g	=	H			
	DE MES	-	-	0,000	-	-
			=		-	
	-	*	0.00.0	8,61.5	5,000	-
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		1,00.00	199-76	-	-	-
	0,011 0 0,011 0 0,011 0 0,010 0 1,000 0 1,000 0	.#	25			10.00 of 10.
	170000	-		-	18/18	-
_	1/8/51/6	-	200	-	(8/98)	141.00

Comment of the Commen

by how has life and hearter & life											
(Street)	-	=	-	=	=	Name of Street					
-	0.000					-					
03 (0) 10 (0) 00 (0) 00 (0) 00 (0)	500										
600 Fby 100 Fby 600 Fby 600 Fby 600 Fby	5918					250					
					-	BF14B					
***	8/5/8	1,000	**	1,700	1/5/4	BAT A					
100 CB.	1/88	1/4/6			10000	1,000.00					
60 60 60 70		1,000	**		==						
See Co.	10,00.60	-	4/9.0	16,011.00	1,007,00	165,007.00					
07 5 09 5 09 6 09 6 09 6	1,000	95.80 190.00 190.00 190.00	19.0		1,500	0./15.00 1,001.00 0.001.00 11,001.00 11,001.00					
and the	19,481.91	1,65 (6)	1,000.00	-	61,710.60	16,500.00					
65 60 91, 7 91, 7 91, 9	1,000.00	1,075.00 50.00 60.00 100.00	1,22	75.00 0,000.00 100.00 0,000.00 1,700.00	15.00 1,500.00 171.00 171.00	6,710.00 60,710.00 0,480.00 12,010.00 13,750.00					
	-	-	5,790.40	Number of	1,780.00	-					
000 00°, 2° 00°, 9° 00°, 9° 00° 10°, 8° 10°, 8° 00°, 9°	5,000 1,000	**	LOT OF STREET	10.271.00 1.000.00 100.00 1.007.10 1.007.10	1,00.79 (00.00 (00.00	00,100.00 10,270.00 11,300.00 10,100.00 10,100.00 10,100.00 10,100.00 10,000.00 10,000.00					
se re	(M. / M. / Y	15,000.00	0.000.00	(6,986.75	11,411,40	10,000					
6), 0 6), 0 7), 0 8), 0	15,000,00 1,011,00 1,001,00 10,071,00 10,071,00 10,071,00 1,071,00 1,071,00 1,071,00 1,071,00 1,071,00 1,071,00 1,071,00	100	00.0 00.0 00.0 00.0 00.0 00.0	60.00 0.00 0.00.00 0.00.00 0.00 0.00	121	10.00 (m)					
60 0 75 0 75 0 75 0 75 0	10,000 db 10,000 db 10,000 db 10,000 db	==	DOM:			(1,000,00 (1,000,0) (1,000,0) (1,000,0) (1,000,0)					

Consisting the name for throughput, buyer, and Other Servers shirt of the Agengatishing for Found that the child is not described by 1864.

Circuit						-
gred .	-			-	-	
	Tree		proper .	-	-	Total
Descript	NAME .	gener				_
80 Co	199,719.00	5,015,07		1,040.00	3,000.00	160,001.40
19.0	BUILD TO	907.09		105.00		76,756.00
(V. W	4,795,00	-		0.2794.00		0.007.00
8, E	98,112,25	105.80			Min. 200	91,602,01
5. W	17,070,000	948.67			505.00	19,465.07
M, S	81,847,79	806.60		1,500.00	500.00	11,018,00
M. W	11,767.00	560.80		1990.400	(MC)	19,770.60
N. E	714.09			1960.000		56.8
N. W.	16,077,00	1,000.00		2,276.40	-	21,246.40
4.8	1,196,00				-	1,80.8
Ne Ce	75,700.46	8,786.84	3,666,66	***	1,000.46	93,499.29
	6,675.80	1.05.00	1,865.00	797.00	1,079.00	96.675.00
B. C	1,011,00		W-96	-	909.00	9,019,05
L. 8	1,186.35			100.00	-	4,000,00
5, S	3,184,69					LOTE OF
6,2	1,761.69	1100.00				8,611.00
K, 8	9,777.49	197.46	1.404.00		1.000.00	9,099,00
80 Ce	B.558.M	0.000.00	1.8(3.76	10.00	18,475.04	116,767,66
4.6	5,810,08		78.6		100.00	1,741.80
18. W	1,000.00		-			L/man
	700.00	97.40	MIL. (8)		-	7 100.40
8,8	5,677.09	300.00		1,040.56	1,799.00	19,000.20
	71,786,48	0,894.53		0,766.00	Mar. 30	DL409-40
MI, E	9,2794.50	201.00	109.00	3,079.60	676.75	51,790.05
10, 4	71,685.05	76.40	- Table 1	1,300,00	7000.00	19,851.60
M	9,060.00		73.89	100000000	1000.00	8,798,25
Ø	9,601.40 5,000.00	0.005.09		1,000,00	1,046,74	10,000.00
99 (p	MC.594.59	14,000.00	27,800.00	W.101.27	E-80-22	-
	1.50.00	1.405.27	200	-	-	4,347,27
	T. 448.89	9,710.66	170.00	5,000,000	23,412.79	TELEGRAD
9, 9	99,409.79	5,660,76	1,971,380	15,780.00	27,480,79	F86,556.86
0.6	59,698,65	9,813.79	7,0700,000	1,617.60	5,647.06	96,098,00
But	100,500,75	6,718,67	980.60	19,245.79	1.000	120,000,00
6,9	11,015,00	57,809.60	1,074.00	4,486,75	9,000,00	01,801.80
	9,677,669			675.MI	-	5,710 mm
	1,775.46	5,647.65	186.86	1,011.00	C	1,000,00
	B-M17-M6	1075.69	60.00	1,610.00	1,010	I TO PER PE
	13,860,58	5,863.60	191,00	1,000.00	579.00	(5.675.49
A, E	3,667,24	399.00	100,460	607 .60	145.60	1,469.71
8, 8	35,227.66	1,001.60	5,686.68	1,000.00	1,000.00	DL_600.79
	500.00					19.0
100 Co	16,046,04	59.79E.00	1.011.00	25.796.09	150.0	10.00.00
9	13,499.09	-		LEAR	1.00	metra.
	0.690.69	-	195.00	380.00		0,000.00
	14,474,31	464.75	199.40	7,660,040	1,871.00	74,668.00
				0000.00		9,018.00
	1,746.50					
	1,040,00			201.49		1,756.60
	9,019.50		LIMA	1,710.00	975.00	01,995.00
	1,040,00	848.9	1,094.09		975.00	
	1,740.00 9,714.00 1,684.74	80,000.70 101,000.77	1,0140		175,00	11,040.00

Rabbit 1 Fabrai Delaute Organization Summary of Expressionium by District (October 1, 1880 through September 3s, 1981)

			Ca	Cases Closed			
					Court 1		
Representations By	Pending				Average	Pendin	
District	Oet. 1, 1980	Cases Opened	Number	Tetal	Par Case	Sept. 3 1981	
10.al	5,687	23,250	22,683	41,760	1.8	6,272	
Criminal	3,493	15,636	15,492	36,190	2.3	3,626	
Other	622		663	446	8.7	781	
	1,582	6,790	6,526	1,125	0.8	1,851	
	187	885	901	1,776	2.0	171	
Appeals	39	545	648	1,623	2.5	181	
Other	38	195	192	194	9.5	41	
California, Mortlem	225	***	901	1,000	1.1	304	
Criminal	172	847	760	918	1.7	254	
Appenis	18	11	13		8.4	16	
Other	35	135	134	77	9.6	36	
Allenia, Baters	142	984	953	1,361	1.4	271	
Crinival	80	185	678	1,013	2.1	116	
Appeals	11	19	17	36	8.9	83	
Other	42	460	460	333	0.7	40	
allfonia, Control	279	1,437	1,393	4,374	3.1	321	
Criminal	100	857	865	3,781	43	176	
Other	82	536	499	973	1.4	61 78	
Milesia, Seatlers'	248	3,000	3,994	3,933	1.0	260	
Criminal	188	3,467	3.449	3,418	1.0	186	
ADDES	25	33	28	49	1.8	36	
Other	88	-	479	488	1.0	94	
	85	285	279	302	1.4	101	
Criminal	37	148	143	340	2.4	42	
Append	23	. 11	22		6.3	12	
00er	m	126	114	37	6.3	41	
		240	221	914	3.0	87	
Criminal	*	132	111	541	4.0	47	
Other	:	13	11	12	1.0	30	
Perlam		230	227	-	2.1		
Crimical	-	160	144	638	2.6	24	
Appeal	7	7	3	***		-	
Other	i	63	38		8.8	10	
wib, #idb	362	312	385	767	2.6	200	
Criminal	67	196	193	688	3.6	78	
ACT	26	25	29		8.2	31	
Other	100	*1	92	94	1.0	108	
	958	1,863	1,244	1,029	1.6	758	
Criminal	421	541	871	1,794	2.1	297	
Appenia		173	19	3	8.2	184	
Other	200	333	354	133	8.4	276	

Federal Delanter Departmenton Seasony of Expressionism by District Cartains L. (1981 Orangh Department M. (1981) Contract

			Ca	Cim		
				Naura II	Com	1
agreementations P	-				Seemer.	Penting
By (Det. 1,	Cause	-	Total	For	Sept. 16, 1981
Statrict.	2300	cheses	-	1000		1001
Notice	-	204	267	528	2.1	187
•1	-	223	168	402	2.0	193
	19	10	18	2	6.2	29
		118	**	74	0.0	30
	28	346	200	415	2.0	25
	100	13	186	363	1.1	
		13	- 12	47	1.8	- 7
	224	425	422	-	1.6	127
	-	-	201	987	1.7	-
	2	-		1	8.3	1
**************	38	189	136	198	8.8	
Best, Carl S		197	130	266	1.8	57
	100	83	74	294	2.8	19
				20	1.3	18
	-	-	-	-	-	-
, Carle	*	3	1	+	1.0	1
		1	1		1.0	i
*****************			-			
		148	125	240	1.0	15
	18	73	79	360	2.6	19
				*	1.2	
*************	12			31	8.8	28
	*		3			3
		•	1		*	1

*****************	81	254	363	438	1.6	79
-	20	140	120	345	2.0	34
	28	18	24		8.4	14
*************************	28			75	6.8	25
	**	184	273	402	3.8	43
	31		ft	536	7.4	18
****************			1		1.0	
	-	m4	m	-	1.0	
	-	179	165	100	3.4	24
	7	4	-	-		7
**************	18			**	1.5	
***************************************	140	776	-	796	1.8	227
-	80	100	100	197	1.8	167
	14	100	173	-	8.3	18
*************	-	-				_
	30	176	100	587	3.5	-
************		147	100	927	1.0	
***************		24			0.7	i
	207	586	506	1,810	84	184
	143	340	308	1,663	3.3	148
I		94 94 171	100 17 147	1,000	9.3 9.3	100



Federal Delenier Organizations Summery of Representations by District October 1, 1991 (brough September 38, 1981)

			Ce			
Representations					Court	
	Pending				Average	Pending
By	Get. 1.	Cases		Total	Fer Case	Sept. N 1961
District	1990	Opened	Number	Total	Case	1001
	73	216	218	415	1.8	71
Oriminal	41	135	148	360	2.7	36
Appenis	19	14	1.3	19	0.8	11
Deher		67	45	26	8.4	24
mei, Nation ⁴		1,566	1,925	1,260	6.8	135
inimi	3	13	13	1,302	1.1	31
penis		1,194	1,058	145	0.1	97
		339	333	737	2.7	76
eirel		293	233	616	2.6	940
mit	12	11	13	11	0.8	10
e		95	87	111	1.3	36
	282	663	657	1,725	2.6	288
simi	182	453	444	1,465	3.3	191
••••	18	23	19	252	1.3	14
		246	243	223	1.3	113
		112	115	227	2.1	
	. 3	28	30	2	0.2	26
***************************************		106	**	79	0.8	63
New York*	383	2,006	1,911	3,834	3.1	-
·	425	1,382	1,267	4,873	3.8	490
	31	82	82	82	8.8	31
**************		602	342	909	1.8	165
in, later	the same of the sa	854	811	2,783	3.4	361
•		636	626	2,499	4.0	236
		220	185	284	1.5	
Creat		101	100	31.2	3.1	-
•					*	
	33	82	82	12	0.0	33
***************		10	18	360	14.4	11
M, Marie		1,049	1,000	2,740	2.7	331
	381	686	641	2,375	3.7	292
		363	350	365	1.0	85
		207	181	367	1.5	192
•1		106	187	230	2.1	47
•	13		11		8.3	
* **************	15	95	43	34	8.5	47
		248	313	805	1.5	165
(4)		136	143	654	4.8	72
		18	38	-	1.8	- 23

	Cages Circuit					
		Mayos In Co.		le Cours	M ²	
Section 19 and 1	Penting	-			Average	Pending
Detroit	Get. 1, 1980	Cause	Name .	Tetal	Case	Sept. 36 1981
	-	-		100		1001
	186	646	407	1,461	3.4	360
***********		228	236	1,168	6.8	181
	1 6	178	74	260	1.0	27
-	10	170	176	473	2.4	
	-	-	80.	Total Control	3.6	-
		15	14		9.1	15
		76	67	79	1.8	10
	Time	325	319	319	3.7	38
	14	27.0	365	-	1.0	27
		40				
		307	774	120	24	-
	-	567	-	-	34	843
	16		-	-	1.0	- 1
**********	, ,	91	90	38	8.7	
	34	166	141	166	1.8	97
	11	60	74	109	1.6	25
**********		*		- 2	9.7	27
	- 1	747	211	224	-	
***********		181	148	381	1.0	79
**********	3			-	1.8	7
**********	11	50	97	38	8.8	
	125	1,877	1,000	1,279	5.8	141
		M 1	-	5,200	1.3	184
*************	111	190	18		6.2	10
*************		673	696	-		-
**********	-	360	200	979	1.5	118
**********	19		18		8.0	7
********		100	196	100	1.0	94
**********	126	388	300	1,298	8.7	129
	100	280	273	1,735	6.0	
***********	10	12	24	19	**	99
•		247	-		-	20
***********	-	100	-	#F3	1.0	-
***********		B	97	74	9.0	-
*********			64		1.0	54
		818	234	344	3.0	-
***********	10	2.2	76	225	4.3	16
**************	:				1.0	
	-	-		17	8.5	-

Detail may not add to total due to reacting to whole teams.

Differ representations include court directed princtor representations, buildpresentinged, with product representations.

The Federal Defination for the Control and Southern Districts of Minesis was authorized to prorepresentation in the Southern District of Minesis portunant to the Criminal Justice Act.

Third include 341 cases opened and 327 cases climat in the temperary transit office in Part So
Arkansas and 130 court directed prisons representations of temptas of the U. S. Madical Control Federal Prisonses at Springfield, Missouri.

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